NOTES

1992

UNITED NATIONS

NOTES FOR SPEAKERS

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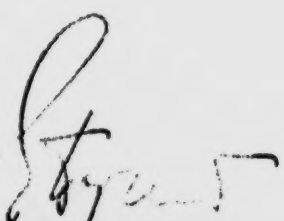
FOREWORD

It is almost impossible to overstate the importance of the transformation in world politics in the last few years. Despite this radical change, the principles articulated in the *United Nations Charter* remain as valid today as they were nearly half a century ago. Their importance has, if anything, been underscored as the ideological rigidity of the cold war has given way to a kaleidoscope of national sentiments. As Secretary-General Boutros Boutros-Ghali has pointed out, never before have the UN's services been requested with such frequency, not only in its traditional role of peace-keeping and peace-making, but in a new role, that of giving assistance to democratic institutions in the countries of the third world. Action by the UN is a critical element in attempts to avert head-on collisions between nationalism and interdependence, and to manage global problems and resources.

The UN faces increased responsibilities in building and maintaining peace in this new political environment. *Notes for Speakers* is a tool to help speakers prepare effective presentations for their audiences. It is not intended as an exhaustive reference work, but as a convenient source of recent information about UN system activities in a few key fields. Current issues——disarmament, coping with developing-country debt, managing ocean resources, assisting refugees and displaced persons, and fighting illicit trafficking and abuse of drugs——challenge States to translate new opportunities into cooperative action through the UN.

I urge all those who speak and teach about the United Nations to encourage the people of their communities to learn more about the world Organization, its capabilities and its promise.



Eugeniusz Wyzner
Under-Secretary-General
for Public Information

BUILDING A NEW STRATEGY: COLLECTIVE SECURITY THROUGH THE UNITED NATIONS

"With all the convulsions in global society, only one power is left that can impose order on incipient chaos: it is the power of principles transcending changing perceptions of expediency."

Boutros Boutros-Ghali, United Nations Secretary-General, addressing the Security Council's first Summit meeting, January 1992 *

The dramatic changes of the last few years have prompted one historian to claim that the 20th century began in 1914 and ended in 1989. 1/ This "short" century of 75 years trembled with the shock waves of two world wars. It brought with it the end of the colonial empires, the birth of the atomic bomb, the emergence of the two super-Powers, and the division of the world into armed camps along ideological lines. Regional conflicts, often rooted in deep historical rivalries, were frequent aftershocks that threatened to reignite what had become a state of cold war.

Estimates of the death toll of the two world wars run as high as 70 million. The vast destruction they caused called into question the comment by the early 19th century Prussian strategist Karl von Clausewitz that war was, in effect, "diplomacy by other means". No barricades were effective against total war, and nuclear war in particular. Those who wanted to avoid war recognized that passive neutrality was insufficient: they must act together to prevent it. With this recognition came the 20th century's attempts—first through the League of Nations and then the United Nations—to establish effective systems of collective security.

- **Fifty years ago, in January 1942, the *Declaration by United Nations* was signed by 26 countries. The *Declaration*, a statement of common cause by those fighting against the Axis Powers, marked the first formal use of the name "*United Nations*" and was one of several steps leading to the San Francisco Conference where the *United Nations Charter* was drafted in 1945. The Charter, which sets out the purposes and principles of the Organization, and a blueprint of its structure, came into force on 24 October 1945.**

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* In December 1991, Boutros Boutros-Ghali was appointed as the sixth UN Secretary-General for a five-year term beginning on 1 January 1992. Javier Pérez de Cuéllar served as Secretary-General from 1 January 1982 until 31 December 1991.

- **From 51 nations in 1945, UN membership has grown to 175 Member States. The membership of the Organization has mirrored the transformation in global politics. Its ranks have grown as former colonial Territories have achieved independence. The year 1990 saw the reunification of Germany, the admission of Namibia and the unification of the two Yemeni States. In 1991, seven new Members were admitted and, at the end of the year, the seat of the former Soviet Union on the Security Council went to the Russian Federation with the support of the newly formed Commonwealth of Independent States. In early 1992, nine more States were admitted—eight of them former Soviet republics.**

A threat of anarchy

Former Under-Secretary-General Sir Brian Urquhart has described the cold-war UN as "a promising child born of divorced parents". The UN Charter outlawed war and committed States to seek peaceful settlements to their disputes, but Governments often ignored its provisions. It assigned primary responsibility for the maintenance of international peace and security to the Security Council. Ideological rifts meant that the Charter's collective security system was hobbled. Lack of agreement, particularly among the five permanent members of the Security Council, often prevented collective action. As a result, the Organization was forced to develop innovative ways of controlling conflicts and preventing them from spreading. The fifth UN Secretary-General, Javier Pérez de Cuéllar, described the situation in his 1989 lecture following the award of the Nobel Prize for Peace to UN peace-keeping forces:

- **"...the United Nations Charter sets out a process which, in its first stage, is based on the renunciation of force in international relations and on the peaceful settlement of disputes. If these principles are rejected, the Charter provides for collective enforcement action by the world community through the Security Council....In the political and military conditions of the post-war world, forceful international action has not proved to be a practical proposition. Sanctions and embargoes have rarely been agreed on, and military enforcement action never, apart from the exceptional case of Korea. Instead the Security Council and the Secretary-General have pioneered a different route—the route of consensus, conciliation, good offices, diplomatic pressure and non-forceful, cooperative peace-keeping."**

A decade ago, armed conflict erupted in the South Atlantic and flared up again in the Middle East. Fighting dragged on between Iran and Iraq, as well as in Afghanistan, Cambodia and Central America. These events, against the background of an unbridled arms race and lack of progress in a variety of other areas, led Pérez de Cuéllar to sound the alarm. In his first report on the work of the

Organization in September 1982, he warned against continued disregard for the principles and machinery articulated in the UN Charter:

- **"Governments that believe they can win an international objective by force are often quite ready to do so, and domestic opinion not infrequently applauds such a course...[T]he process of peaceful settlement of disputes described in the Charter is often brushed aside. Sterner measures for world peace were envisaged in Chapter VII of the Charter...but the prospect of realizing such measures is now deemed almost impossible in our divided international community. We are perilously near to a new international anarchy."**

Weathering the storm

Secretary-General Pérez de Cuéllar consistently urged Governments to adhere to the Charter's principles and to make a concerted effort to establish a workable system of collective security. He sought to strengthen the capacity of the Security Council and the Secretariat to engage in "preventive diplomacy" and to develop a greater capacity for fact-finding in potential conflict areas. He urged a more systematic, timely use of the Security Council to prevent disputes from erupting in crisis. Above all, he called for improved working relations between the Security Council's permanent members, and for Governments actively to support the Council's decisions with the full weight of their collective influence. The transformation of global politics that began in the mid-1980s provided fertile ground for the Secretary-General's suggestions.

- **In November 1989, the Soviet Union and the United States, in a joint statement, expressed their commitment to increase the effectiveness of the UN and ensure the full discharge of the Security Council's mandate for the maintenance of international peace and security. Secretary-General Pérez de Cuéllar noted that this new understanding would not, by itself, ensure the success of multilateralism. But he added that "...what historically proved to be the main impediment" to UN efforts to establish and maintain international peace had been removed.**

As the end of the 1980s approached, debates at the UN began to reflect a new spirit of pragmatism. Governments sought new approaches to long-standing conflicts. UN deliberative bodies provided forums for a variety of countries to raise and explore possibilities for peaceful settlement. Compromise replaced confrontation. Agreements were crafted based on recognition of legitimate interests and commonly agreed principles. At every turning, parties to negotiations sought the involvement of UN machinery:

- **the Security Council and the General Assembly, to sustain negotiating momentum and cement agreements;**

- **the Secretary-General's "good offices", to promote contacts between disputing parties and develop ideas;**

- **the assistance of the Secretariat, to determine technical needs for implementing and verifying agreements;**

- **UN observers and peace-keepers, to monitor compliance and confirm cease-fires.**

Turning-points

The years straddling the end of the 1980s and the beginning of the 1990s appeared to announce a new era, bringing tangible fruits of sustained effort by the Secretary-General, his representatives, Member States and others:

- **achievement of a cease-fire between *Iran and Iraq*, withdrawal of troops to internationally recognized boundaries, and further UN efforts towards a comprehensive settlement;**

- **withdrawal of Soviet troops from *Afghanistan*, monitored by UN observers, and mutual guarantees between Afghanistan and Pakistan (the *Geneva Accords* on Afghanistan marked the first time the Soviet Union and the United States became co-guarantors of an agreement negotiated under the UN Secretary-General's auspices);**

- ***Namibia*'s transition to independence through free and fair elections supervised by the UN;**

- **great advances towards peace in *Central America*, with the UN involved in virtually all aspects of international—and national—reconciliation in the region;**

- **agreement in principle on a plan for a cease-fire in *Western Sahara*, to be followed by a referendum organized and conducted by the UN to determine the Territory's future status;**

- **withdrawal of Cuban troops from *Angola*, monitored by the UN, and UN assistance to monitor compliance with agreements to end the country's civil war and bring about national reconciliation through elections;**

- **agreement on a comprehensive peace plan for *Cambodia* which gives the UN unprecedented responsibilities for the country's administration during the transition to a new Cambodian Government through free and fair elections.**

But setbacks have also occurred. The UN plan for *Western Sahara* has been delayed. Breakthroughs have yet to be made in other areas, such as *Cyprus* and the *Middle East*, although UN peace-keeping operations continue to provide an element of stability in those areas.

- **The Secretary-General's good offices mission in *Cyprus* continues. In April 1992 the Security Council unanimously endorsed a set of ideas containing elements of a fair solution "as an appropriate basis for reaching an overall framework agreement, subject to the work that needs to be done on the outstanding issues, in particular on territorial adjustments and displaced persons". The ideas, described in the Secretary-General's April report to the Council, emerged from talks with the parties in 1991. The Council asked the Secretary-General to pursue his intensive efforts and reaffirmed its position that the solution to the Cyprus problem was based on one State of Cyprus comprising two politically equal communities.**

- **The Secretary-General pointed out in his April report on *Cyprus* that despite repeated efforts, there had been "*no progress and...in certain areas there has even been regression*". He cautioned that lack of progress in his mission of good offices had been compounded by the deteriorating financial position of the UN Peace-keeping Force in Cyprus (UNFICYP) and the dissatisfaction of the troop-contributing countries. He concluded that "*at a time of greatly increased demand for peace-keeping, a critical look has to be taken at long-lived operations such as UNFICYP and the peace-making process it supports. If a Force has for 28 years maintained conditions in which a peaceful settlement to a dispute can be negotiated but negotiations have not succeeded, it has to be asked whether that Force has a priority claim on the scarce resources that Member States can make available to the Organization's peace-keeping activities.*"**

- **Security Council resolutions continue to underpin efforts to achieve a comprehensive, just and lasting peace in the Arab-Israeli conflict through negotiations. In 1991, the Secretary-General reactivated the mission of his Special Representative to the *Middle East*. The October 1991 Madrid Conference, convened under the co-sponsorship of the United States and the Soviet Union outside the framework of the UN, had as its basis Security Council resolutions 242 (1967) and 338 (1973), which have long been recognized as the cornerstone of a comprehensive settlement.**

A new trial by fire

If 1990 marked the beginning of a new era, it immediately confronted the UN with new challenges. Iraq's invasion and attempted annexation of Kuwait in August 1990 demonstrated that the end of the cold war did not mean an end to belligerency.

- **Secretary-General Pérez de Cuéllar pointed out that in the Iraq-Kuwait conflict, for the first time in the UN's history, one Member State completely took over another sovereign Member State by force. It presented the first test in the post-cold war era of the Organization's ability to fulfil its primary task: the maintenance of international peace and security.**

The Security Council responded swiftly and systematically, adopting a series of resolutions, following a step-by-step, considered approach to the use of its powers under Chapter VII of the Charter—the Chapter which contains provisions for enforcing its decisions, including the imposition of sanctions. Faced with Iraq's refusal to heed all warnings and the Secretary-General's pleadings, the Security Council authorized States cooperating with the Government of Kuwait to use "*all necessary means*" to restore the independence of Kuwait. The forces of the international coalition in support of Kuwait began armed action against Iraq on 16 January 1991.

- **Of 155 speeches in the general debate of the 45th (1990) session of the General Assembly, by delegates from every corner of the globe, all but one—by Iraq's own representative—condemned the Iraqi attack as aggression and a threat to international peace and security.**

Following the suspension of hostilities and Iraq's agreement to comply fully with all of the resolutions relating to Kuwait, beginning in March 1991 the Security Council took a number of decisions. Only one, establishing a military observer mission between Iraq and Kuwait, conformed to the traditional pattern of peace-keeping. Others are breaking new ground in international experience and the responsibilities of the Secretariat, including:

- **demarcation of the boundary between Iraq and Kuwait;**
- **elimination of Iraq's mass destruction capabilities through the efforts of a Special Commission and the International Atomic Energy Agency;**
- **management of a compensation fund, and arranging the return of all Kuwaiti property seized by Iraq;**

- **elaboration and management of a scheme for exporting Iraqi petroleum to meet the country's humanitarian needs.**

Implementation of these measures has not been without problems, but the measures themselves are evidence of a new sense of common purpose, particularly among the Security Council's permanent members. At the end of his ten years as Secretary-General, in September 1991, Pérez de Cuéllar returned to themes of his first annual report. He noted that the measures he had suggested in 1982 for enhancing the UN's ability to make and keep peace had mostly become "commonplace and routine". He continued:

- **"Activity, not argument, has...answered two questions about the Organization that troubled the public mind through most of its existence: one, whether it could ever muster the power to repair breaches of the peace and reverse acts of aggression; two, whether the Secretariat would be able to execute the increasingly versatile projects of peace. The answers are affirmative."**

But the Secretary-General noted that:

- **"the enforcement action was not carried out exactly in the form foreseen" by the relevant Articles of the Charter and instead "the Council authorized the use of force on a national and coalition basis". He added: "the experience of operations in the Gulf suggests the need for a collective reflection on questions relating to the future use of the powers vested in the Security Council under Chapter VII."**

Among the concerns he pointed to were means to ensure that the rule of proportionality in the use of armed force was observed, and that rules of humanitarian law in armed conflicts were complied with.

Political turbulence: nationalism, interdependence and security

The UN has become the centre of a diplomatic revolution that mirrors the revitalization of national political institutions in many countries. Fundamental changes promise greater personal freedom and more dynamic societies, but also bring new challenges and greater uncertainty in international relations. Addressing the first-ever Security Council Summit meeting in January 1992, the newly-appointed, sixth UN Secretary-General, Boutros Boutros-Ghali, referred to the complexities of a world where interdependence and fervent nationalism threaten to collide head-on:

- **"The narrow nationalism that would oppose or disregard the norms of a stable international order and the micro-nationalism that resists healthy economic or political integration can disrupt a peaceful global existence. Nations are too interdependent,**

national frontiers are too porous and transnational realities—in the spheres of technology and investment, on the one side, and poverty and misery, on the other—are too dangerous to permit egocentric isolationism."

- "The explosion of nationalities, which is pushing countries with many ethnic groups towards division, is a new challenge to peace and security....Nationalist fever will increase ad infinitum the number of communities claiming sovereignty, for there will always be dissatisfied minorities within those minorities that achieve independence. Peace, first threatened by ethnic conflicts and tribal wars, could then often be troubled by border disputes."

- "The United Nations will have to adopt a new strategy to respond to the irredentist claims of ethnic and cultural communities or their calls for autonomy."

The foundations of this new strategy can be seen in UN efforts to restore and maintain peace, and its involvement in what Secretary-General Boutros-Ghali described as the "*institutional management of national reconciliation*".

- The UN's successful supervision of elections and of the transition to independence in *Namibia* was a landmark in UN efforts to foster international peace and security in the region and promote national reconciliation.

- UN observers monitored *Nicaragua*'s 1990 elections, from the organization of political parties through the electoral campaign and the elections themselves, encouraging all parties to participate and enhancing the prospects for national reconciliation.

- The Secretary-General and his Personal Representative have been intensively involved in talks between the Government of *El Salvador* and the Frente Farabundo Martí para la Liberación Nacional (FMLN) to produce important constitutional reforms and bring about an end to years of civil war in the country. A UN Observer Mission in El Salvador (ONUSAL) was established by the Security Council in May 1991. ONUSAL began by verifying the San José Agreement on Human Rights between the Government and the FMLN. ONUSAL was later strengthened by the Security Council to carry out new tasks. At midnight on 31 December 1991—the final hour of Pérez de Cuéllar's term as Secretary-General—continued efforts by the parties, with the help of the Secretary-General and his Personal Representative, resulted in a breakthrough. Meeting at UN Headquarters, they declared that they had reached definitive agreements to put an end to the Salvadorian armed conflict. The UN role in verifying that both sides were complying with the agreements was enhanced.

- In *Afghanistan*, the Secretary-General and his Personal Representative continue their efforts to help all segments of the Afghan population work towards a comprehensive political settlement in the country. In January 1992, the Secretary-General expressed his readiness to organize a gathering of as many segments of Afghan society as possible, in order to agree upon a transition period and mechanism leading to the establishment of a government through free and fair elections. On 10 April the Secretary-General announced that agreement in principle had been reached to establish, as soon as possible, a pre-transition council composed of impartial Afghan personalities to which all powers and all executive authority would be transferred. In light of the rapidly changing political situation in the country, on 16 April the Secretary-General stated that there was "*no alternative to the political solution*" and that "*violence would simply perpetuate the suffering of the Afghan people and the difficulties which have besieged Afghanistan for so long*". On 30 April the Secretary-General issued a statement welcoming the arrival in Kabul of the *mujahedeen* Interim Council as an important step. He also affirmed that the United Nations stood ready to help the Afghan people to pursue rehabilitation and reconstruction of the country, and promotion of Afghan unity.

- A plan for bringing about a settlement to nearly 20 years of conflict in *Cambodia* was agreed by the Cambodian factions in 1991. Input from a variety of States, including the permanent members of the Security Council, Australia, Indonesia and other members of the Association of South East Asian Nations helped the parties reach agreement. The Secretary-General and his Special Representative were closely involved in the negotiating process towards a comprehensive political settlement. The October 1991 Agreements on a Comprehensive Political Settlement, signed by all four Cambodian parties, assigns unprecedented responsibilities to the UN in Cambodia during a transitional period. The ultimate goal is the formation of a new Cambodian Government following free and fair elections under UN auspices.

War as chameleon

As political scientist Raymond Aron has observed, war has become a chameleon which changes imperceptibly from civil war to war between States, from sedition to resistance and from terrorism to armed struggle. New challenges are arising steadily, as differences between groups within national societies erupt in violence and civil war, threatening neighbouring countries. The UN has increasingly taken steps, often in conjunction with regional organizations and other interested States, to secure cease-fires, protect non-combatants, and promote national reconciliation where lives and livelihoods fall victim to factional violence. The situations in Yugoslavia and Somalia demonstrate the importance of cooperation between the UN and regional organizations, as foreseen by the Charter.

- **Internecine violence in *Yugoslavia* in 1991 prompted the UN to support initiatives by the European Community aimed at bringing about a cease-fire and promoting a dialogue between opposing communities. Several missions by a Personal Envoy of the Secretary-General resulted in a cease-fire in November 1991. Extensive consultations between the Secretariat and representatives of the communities concerned led to a plan for a peace-keeping operation—the UN Protection Force—authorized by the Security Council in February 1992.**

Civil war in Somalia in 1991 and 1992 also presented the international community with a complex problem: factional fighting in a country awash with weapons, refugees and displaced persons—and nearly empty of food.

- **In March 1992, representatives of the two principal warring factions in *Somalia* agreed to a cease-fire, signing pledges in the presence of representatives of the UN, the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference. Subsequently, the Council agreed to the Secretary-General's proposal to send a technical team to prepare a plan for a mechanism, involving the three regional organizations, to monitor the cease-fire and ensure unimpeded delivery of humanitarian relief in the country. In April the Security Council authorized the creation of an observer mission in the country—the UN Operation in Somalia—and called on "*all parties movements and factions*" in the country "*immediately to cease hostilities and to maintain a cease-fire throughout the country in order to promote the process of reconciliation and political settlement*". The Secretary-General appointed a Special Representative to provide overall direction of UN activities in Somalia and assist him in his efforts towards a peaceful resolution of the conflict there.**

Prospects for effective action by the UN hinge on emerging perceptions of State sovereignty and responsibility, on the international community's capacity to forestall the outbreak of hostilities by taking preventive measures, and on States consistently abiding by the UN Charter's principles. In his statement to the Security Council Summit in January 1992, Secretary-General Boutros-Ghali pointed to these issues:

- **"New ways of preventing internal disputes and inter-State confrontations will...need to be developed. State sovereignty takes on a new meaning in this context. Added to its dimension of right is the dimension of responsibility, both internal and external. Violation of State sovereignty is, and will remain, an offence against the global order. But its misuse may also undermine human rights and jeopardize a peaceful global life. Civil wars are no longer civil, and the carnage they inflict will not let the world remain indifferent."**

A peculiar sign of success: prospective bankruptcy

The Secretary-General stressed the importance of preventive diplomacy in his address to the Security Council Summit: identifying potential zones of conflict, offering good offices while those conflicts are still in the gestation stage and resolving crises before they degenerate into armed confrontation. The Security Council's constant vigilance, and the availability to the Secretary-General of timely, unbiased and independent information on which to base potential action under Article 99 of the Charter, would greatly enhance the international community's ability to avert crises. Independent means for observation, a sophisticated communications network and new financial resources are required.

- **Article 99 acknowledges the Secretary-General's political role in promoting peace. Under it, he "*may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.*"**

The bedrock for action by the UN lies in States adhering to, and consistently applying,the Charter's principles. Among those principles is the obligation of States to pay their assessments for the UN to carry out its work. The failure of many Member States to pay their assessments in full and on time continues to plague the Organization.

- **At the end of April 1992, Member States owed a total of nearly $1,899 million towards the Organization's regular budget and peace-keeping accounts for 1992 and previous years. The total amount of unpaid assessments to the regular budget alone was more than $1,094 million—the equivalent of 105 per cent of the regular budget assessment for 1992.**

- **By the end of 1991, only 25 States had fully paid all their assessments—despite the fact that States are obligated to pay in full within 30 days of the receipt of a letter from the Secretary-General informing them of the amount of their assessments.**

- **Assessments for the 1992 regular budget were payable in full by the end of January, but only 15 States had fulfilled their obligation by then.**

This situation is made all the more serious because of the increasing number and complexity of the new tasks being undertaken by the Organization in accordance with decisions of the Member States themselves. The total approximate annualized cost of all peace-keeping operations under way in April 1992 was $2.7 billion.

Interrupted lives, unfinished business: the hostages

Alec Collett, a staff member of the UN Relief and Works Agency for Palestine Refugees in the Near East, was abducted by gunmen in Beirut in 1985. He is still missing, his fate unknown. Years of effort on the part of the Secretary-General and his aides brought about the release, towards the end of 1991, of a number of those held against their will in the region. Others, like Alec Collett, have not been so fortunate.

- **In the final weeks of his tenure as Secretary-General, Pérez de Cuéllar expressed his appreciation to the Governments and groups in the region who had helped facilitate the releases, but he pointed to "*unfinished business*", the release of those still being held: Germans; Israelis; Lebanese detained without due process; and the remains of those who had died in captivity. Among those who did not survive was Colonel William R. Higgins, an observer of the UN Truce Supervision Organization, kidnapped in 1988. His remains were released to the Secretary-General's personal envoy in December 1991.**

Security in the skies: a question of responsibility

In January 1992, the Security Council unanimously urged Libya immediately to provide "a full and effective response" to requests from France, the United Kingdom and the United States to cooperate in their attempts to establish responsibility for the destruction of two civilian airliners, Pan Am flight 103 and UTA flight 772, in explosions which killed 441 people. The Council also asked the Secretary-General to seek Libya's cooperation. The three countries had approached the Council after their investigations implicated Libyan nationals in the bombings. Libya instituted proceedings in the International Court of Justice (ICJ), arguing that the conflict should be addressed through relevant international instruments, such as the *1971 Montreal Convention on the Suppression of Unlawful Acts against the Safety of International Aviation.*

- **On 14 April the ICJ—by a vote of 11 Judges to 5—declined to indicate the "provisional measures" requested by Libya, including barring the United States from taking any action aimed at forcing Libya to surrender its nationals to any outside jurisdiction. 2/**

On 31 March, the Council voted to impose sanctions against Libya under Chapter VII of the Charter, citing the country's failure to meet the terms of the Council's January resolution. By a vote of 10 in favour, with 5 abstentions, the Council called on States to sever air links with Libya, embargoed provision of arms and military equipment, aircraft and aircraft components; and decided that States should reduce Libya's diplomatic representation in their territories.

- **Earlier Security Council resolutions call for international cooperation to prevent acts of terrorism against civil aviation, and express support for the International Civil Aviation**

Organization's work towards that goal. The Council's action in this instance reaffirmed a 1989 resolution calling upon States to intensify research to make plastic and sheet explosives easier to detect, and a 1970 resolution which called on States to take all possible legal steps to prevent interference with international civil air travel.

The power of principle

A German philosopher has said that by the end of the century, the question will no longer be one of improving the world, but of saving it. 3/ It could be argued that, to do either, the world's people and their leaders must learn to apply the principles embodied in the UN Charter.

FROM PEACE-KEEPING TO PEACE-BUILDING

UNITED NATIONS

"They came from different countries and had widely different backgrounds, but they were united in one thing: they were willing to devote their youth and energy to the service of peace. They volunteered for service, knowing that it could involve risk. It became their lot to pay the highest price a human being can pay."

Norwegian Nobel Committee tribute to those who died while serving as UN peace-keepers, on awarding the 1988 Peace Prize to the UN peace-keeping forces

In the first three months of 1992, the Security Council was called upon to consider proposals for three UN field missions in response to conflicts on three different continents—Asia, Europe and Africa:

- **The *UN Transitional Authority in Cambodia (UNTAC)* promises to be the largest, most ambitious UN field mission to date, responsible for nearly all aspects of Cambodia's national life until a new, freely elected Government is in place.**

- **The *UN Protection Force (UNPROFOR)* was dispatched to Yugoslavia to maintain a cease-fire in specified United Nations Protected Areas for an initial period of one year, with the intention that the Force would remain there until a negotiated settlement was achieved by the parties.**

- **A *technical team* was sent to *Somalia* to draw up a plan for a mechanism to stabilize and monitor a cease-fire in the country's civil war, and to look into means to ensure delivery of humanitarian assistance. The team's findings were an important element in the Security Council's decision, in April, to establish the UN Operation in Somalia (UNOSOM).**

These missions differ markedly in size, scope and composition. Their dispatch represented different stages in the conflicts that brought them about. The Cambodia and Yugoslavia missions involved the deployment of military and civilian personnel in the field. The immediate objective of the Somalia mission was to make a technical assessment of the situation and offer the Security Council potential courses of action. But all three missions shared the same ultimate goal: reducing human suffering and maintaining international peace by securing peace in areas shattered by fighting. They also drew

upon a common source of experience originating in 1948: a technique which has come to be referred to as "*peace-keeping*".

- **Since the first UN peace-keeping operation—the *UN Truce Supervision Organization (UNTSO)*—was established in the Middle East in 1948, more than half a million soldiers have served in UN peace-keeping operations; more than 790 peace-keepers have died while serving in conflict areas under the UN flag. They all share in the honour of having received the 1988 Nobel Peace Prize.**

Traditional UN peace-keeping

UN peace-keeping operations have traditionally fallen into two categories:

- ***Observer missions*—operations consisting of military officers, almost always unarmed, who usually monitor the implementation of cease-fire agreements or the disengagement of forces, and report to the Secretary-General.**

- ***Peace-keeping forces*—lightly-armed forces, usually composed of infantry contingents of fully equipped units volunteered by Governments not involved in the dispute at hand. These forces have usually been deployed in specific sectors of a conflict zone to prevent new outbreaks of fighting. Among the tasks they have performed most often are supervising troop withdrawals, maintaining buffer zones between hostile parties, and patrolling areas subject to cease-fire or armistice agreements.**

Peace-keepers are authorized to use force only in self-defence—a right exercised only sparingly. If peace-keepers use force they run the risk of becoming part of the conflict. The strongest "weapon" in their arsenal is the support of the international community; their "armour" is their credibility. Both depend on the absolute impartiality that enables peace-keepers to defuse conflicts and misunderstandings "on the ground". For soldiers who are trained primarily to fight, exceptional discipline is required.

Most UN peace-keeping operations have relied primarily on military personnel from a variety of countries working under UN command with the consent of the parties concerned. Their primary mission: to help contain conflicts between States or between hostile communities within a State so that peace-making efforts can be pursued. Most peace-keeping operations have been seen as "holding actions" that buy time to build a durable bridge to peace through negotiations. For non-combatants in a conflict area, the presence of UN peace-keepers has often meant a return to relative security.

Peace-keeping and the UN Charter

The term "*peace-keeping*" never figured in the UN Charter, nor has it ever been defined by resolution of the Security Council or General Assembly. The technique originated and evolved in a largely ad hoc way over the years. Each operation has been tailor-made to meet the demands of a specific conflict. As a concept, peace-keeping lies beyond the peaceful means for the settlement of international disputes described in Chapter VI of the Charter. And although it has relied heavily on military personnel and structures, it is outside the enforcement provisions of Chapter VII.

- ***Chapter VI*** **outlines the pacific means which countries may use to settle disputes: *negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional institutions or arrangements* or other peaceful measures.**

- ***Chapter VII*** **provides for *enforcement action* by UN Member States, including the use of armed forces or other collective measures for dealing with "*threats to the peace, breaches of the peace, and acts of aggression*". 4/**

Although the First UN Emergency Force (UNEF I), established in 1956 during the Suez crisis, was authorized by the General Assembly, peace-keeping operations are usually established by the Security Council, which has primary responsibility under the Charter for maintaining international peace and security. The Council determines each force's functions, area of operation and duration, and ensures that these are understood and accepted by all parties to a conflict. The Council's sustained support is essential to underscore the concern of the international community and enhance the force's credibility. Established under the authority of the Council, peace-keeping operations are operationally under the command of the Secretary-General.

Evolution of a technique

A new species in the genus "UN peace-keeping" has emerged in recent years which represents an evolutionary leap. From a largely improvisational, mostly military exercise aimed at preventing conditions from deteriorating, this new species is the product of detailed plans that aim at specific objectives. Like traditional UN peace-keeping operations, operations of this type defy routine definition. Each mission is different. Recent operations encompass a dramatically increased range of responsibilities. The Security Council acknowledged this transformation, evident especially in the last five years, in its Summit statement of 31 January 1992:

- **"United Nations peace-keeping tasks have increased and broadened considerably in recent years. Election monitoring, human rights verification and the repatriation of refugees have, in the settlement of some regional conflicts, at the request or with the**

agreement of the parties concerned, been integral parts of the Security Council's effort to maintain international peace and security."

One of the most striking and welcome recent developments has been the UN's role in helping to negotiate and implement complicated agreements aimed at resolving long-standing conflicts. Several such agreements have translated into major field operations that draw on specialists—both military and civilian—with a wide range of backgrounds working together under the UN flag. These larger "composite operations" have come to incorporate elements, such as those aimed at maintaining public order and civil administration, seen as separate operations during earlier UN peace-keeping missions in the Congo and West Irian in the 1960s.

Namibia: peace and independence by design

The UN plan for Namibia's transition to independence under UN supervision through the Territory's first free and fair elections called for a major operation. Civilian and military components were incorporated in a mission which covered a Territory the size of France and the United Kingdom combined. The **UN Transition Assistance Group (UNTAG)** enabled the UN Secretary-General's Special Representative for Namibia to supervise every aspect of the political process, and ensure that the parties concerned fulfilled their part of the bargain agreed to in the course of difficult negotiation.

- **In 1989 the UN plan was put into effect. At its peak, the year-long UNTAG operation involved more than 8,000 UN civilian and military personnel of some 120 nationalities.**

- **UNTAG's *military tasks* resembled those of earlier peace-keeping missions. It monitored the cease-fire in the Territory, monitored the confinement of forces, and verified the withdrawal of South African forces as well as the demobilization of local security forces established by South Africa.**

- **The operation's *civilian components* were equally vital to its success. While South Africa continued to administer the Territory until independence, UNTAG saw to it that Namibians exercised their right to choose their political future free of intimidation. UNTAG civilian police monitored local law enforcement officers to ensure that law and order were maintained impartially. UNTAG's electoral division and regional and district centres throughout the Territory provided an essential political and information network to help the UN's Special Representative for Namibia to supervise all aspects of the electoral process.**

- **Practical arrangements for the elections were complex. A vigorous voter education programme had to be carried out for a polyglot population widely scattered in remote**

areas, and unfamiliar with voting. UNTAG's information service used radio, television, visual and printed materials, as well as traditional word-of-mouth, to reach out to all people in the Territory.

When the polls closed, more than 97% of eligible Namibians had voted. Final results were announced and the Special Representative informed the Secretary-General that every stage of the process had been free and fair. Once a proclamation convening a Constituent Assembly was agreed upon by the UN Special Representative and the Administrator-General of the Territory, the Constituent Assembly proceeded to elect its officers and draft a constitution. A President was elected by consensus and, at a ceremony marking Namibia's accession to independence on 21 March 1990, the UN Secretary-General administered the presidential oath of office. In April 1990, Namibia became a UN Member State.

Angola: another step forward

Another UN operation in south-western Africa, the **UN Angola Verification Mission (UNAVEM I)**, was launched in January 1989 to monitor the phased withdrawal of Cuban troops from Angola. The withdrawal was part of a series of agreements, mediated by the United States, which helped open the door to implementation of the UN plan for Namibia. Final withdrawal of Cuban troops was confirmed by UN observers in May 1991.

- **In 1991, the Government of Angola requested the UN's assistance to implement peace accords between the two parties in Angola's 16-year-old civil war, the Angolan Government and the National Union for the Total Independence of Angola. This expanded operation—*UNAVEM II*—began operations at the end of June 1991. The UN is to be responsible for verifying the arrangements agreed by the parties for monitoring the cease-fire between the parties and the actions of the civilian police. Its mandate also includes verification and observation of activities related to elections set for September 1992.**

Central America

At the end of the 1980s, the Presidents of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua asked the UN to establish mechanisms to observe and verify that the five Governments were meeting their commitments under agreements to promote regional peace and security, and to assist in carrying those agreements. Three UN missions were established in the region between 1989 and 1991, only one of which was a peace-keeping operation along traditional lines. These operations have contributed to the parties efforts to establish conditions needed to foster peace in the region,

including the *security of international borders, reconciliation of politically divided societies*, and embarking on *economic reconstruction and social reform.*

- **The *UN Observer Group in Central America (ONUCA)*, the first major UN operation in the western hemisphere, was a military observer mission originally set up to verify compliance with the security arrangements in the Esquipulas II peace agreement of 1987. ONUCA verified the Central American countries' compliance with promises to cease giving aid to irregular forces and not to allow their territories to be used for attacks on other States. Mobile teams of military observers carried out regular patrols by road, air and water, as well as spot checks and ad hoc inspections. The Security Council enlarged ONUCA's mandate several times and attached an armed battalion to permit it to play a role in the voluntary demobilization of the Nicaraguan resistance and to monitor a cease-fire and the separation of forces as part of the demobilization process. ONUCA received weapons from more than 20,000 members of the Nicaraguan resistance. The Group's task accomplished, the Security Council terminated ONUCA's mandate in January 1992.**

- **The *UN Observer Mission for the Verification of the Elections in Nicaragua (ONUVEN)*, marked the first time the UN monitored and verified an electoral process in a sovereign State. Between August 1989 and election night on 25 February 1990, ONUVEN monitored all aspects of the electoral process in Nicaragua. More than 200 UN civilian observers travelled throughout Nicaragua during the elections, visiting more than 2,100 polling places. Although not a peace-keeping operation, ONUVEN played an important role in the peace process by generating confidence in the possibility of peaceful change in Nicaragua. A small UN team was later assigned to assure a UN presence during the transition period while a new Government was formed.**

- **The UN shared responsibility with the Organization of American States for the *International Support and Verification Commission (CIAV)*. CIAV was given responsibility for monitoring and helping with the repatriation, relocation and resettlement of Nicaraguans as part of the demobilization process, and the follow-up of government guarantees.**

El Salvador

Within the framework of the broader Central American peace process, the Secretary-General has exercised his good offices with the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) to help them reach a negotiated settlement to a civil war that has cost an estimated 75,000 lives in the last decade. With the assistance of the Secretary-General's Personal

Representative, talks between the two sides have focused on bringing about a cease-fire and important constitutional and administrative reforms aimed at promoting peace and national reconciliation.

- **In July 1990 the two parties signed the San José Agreement on Human Rights, providing for the establishment of an observer mission. On the Secretary-General's recommendation, the Security Council established in May 1991 a *UN Observer Mission in El Salvador (ONUSAL)* to monitor all agreements between the Government and the FMLN. The mission began actively monitoring the human rights situation in the country, even as fighting continued. ONUSAL continues to respond to and investigate allegations of human rights violations and recommend measures both sides can take to improve the situation. The broad powers conferred on it under the San José Agreement broke new ground in the development of UN missions for building and maintaining peace.**

- **At midnight on 31 December 1991, the parties, with UN help, reached definitive agreements to put an end to the Salvadorian armed conflict. Among the responsibilities assigned to the UN were verification of the cease-fire and of the separation of forces, and monitoring the maintenance of public order. The Security Council set up a Military Division within ONUSAL to monitor cease-fire arrangements and a Police Division to monitor the actions of the civil police.**

Cambodia

The UN operation in Cambodia, leading to elections for a new Cambodian Government by mid-1993, is the most ambitious and complex thus far in the Organization's history. The **UN Transitional Authority in Cambodia (UNTAC)** is expected to oversee virtually every aspect of Cambodia's national life. UNTAC reflects the evolving, expanded concept of a peace-keeping operation that constitutes a full-fledged "settlement plan". It is a comprehensive treatment that includes vital civilian, as well as military functions.

- **UNTAC draws on the skills of military and civilian specialists to accomplish a wide range of tasks: cease-fire observation, cantonment of armed forces, and mine clearance; law enforcement and civil administration; organizing and conducting elections; promoting human rights; repatriation of refugees; and economic and social rehabilitation and reconstruction. UNTAC's strength will vary according to the phase of operations, with between 15,000 and 20,000 military and civilian personnel at peak.**

- **UNTAC was preceded by the *UN Advance Mission in Cambodia (UNAMIC)* established by the Security Council after the Agreements on a Comprehensive Political Settlement**

were signed at the final meeting of the Paris Conference on Cambodia on 23 October 1991. The Council expressed its full support for the agreements and established UNAMIC to lay the groundwork for the larger UN operation in Cambodia. In February 1992, the Secretary-General presented the Council with a detailed plan for UNTAC.

UNTAC's success will depend, in the final analysis, on all parties complying strictly and faithfully with the terms of the Paris Agreements throughout the transitional period—and on the sustained support of the international community.

Information has become an important aspect in this new generation of operations, where the population's confidence depends largely on an understanding of the process under way. Efforts to promote respect for human rights—often an important aspect of these new operations—can be reinforced by familiarizing the population with recognized international standards of human rights.

- **The UN organized information campaigns to explain to *Namibians* who never before enjoyed the right to vote how they could participate in their country's first free and fair elections. It has helped devise programmes to introduce the people of *El Salvador* to basic concepts of human rights, and to explain the nature of the UN observer mission in their country. The internal information programme for *Cambodia* will face similar challenges under extremely difficult conditions. Only half the country's adults are literate, and communications facilities are severely limited. Radio will be an essential means for the UN to communicate with the Cambodian people.**

In a world of tinder, fire-breaks are needed

Traditional UN peace-keeping operations continue to be needed. Following the suspension of the hostilities aimed at reversing Iraq's invasion of Kuwait, the Security Council established a demilitarized zone (DMZ) along the boundary between Iraq and Kuwait to be monitored by UN military observers. It set up the **UN Iraq-Kuwait Observation Mission (UNIKOM)** to monitor the DMZ, deter violations of the boundary, observe any hostile action mounted from the territory of one State to the other, and clear and destroy mines.

In the "genealogy" of peace-keeping, the **UN Protection Force (UNPROFOR)** in Yugoslavia shares what might be called an "operational kinship" with missions like the **UN Interim Force in Lebanon (UNIFIL)** and the **UN Peace-keeping Force in Cyprus (UNFICYP)**, despite major differences in the conflicts that brought them about.

- **Several missions to Yugoslavia by a Personal Envoy of the Secretary-General resulted in a cease-fire in the region in November 1991. In January 1992, 50 military liaison**

- **Several missions to Yugoslavia by a Personal Envoy of the Secretary-General resulted in a cease-fire in the region in November 1991. In January 1992, 50 military liaison officers drawn from existing UN peace-keeping operations elsewhere were dispatched to use their good offices to promote maintenance of the cease-fire. After extensive consultations between the UN and representatives of the communities concerned, a plan for UNPROFOR was devised. In February 1992 the Security Council approved deployment of the force—with an approved strength of over 13,000 military personnel and civilian police—in certain areas of Croatia for an initial period of one year, with the intention that it would remain in Yugoslavia until a negotiated settlement was achieved.**

In his report recommending that the Security Council establish the Force, the Secretary-General noted that possible deployment of a UN peace-keeping operation in Yugoslavia had been under intensive discussion for over three months. He pointed to *"the complexities and dangers of the Yugoslav situation"* created by divided opinions among the political groups in Yugoslavia about certain aspects of the deployment and functions of the Force.

Flexibility is the order of the day

Each UN peace-keeping operation is unique, with its own set of operating procedures. Despite an increased degree of advance planning and orientation towards accomplishing a specific set of goals, these operations are carried out in tense, often volatile environments. It is neither desirable nor practical to fit all operations into the strait-jacket of a single, inflexible set of procedures or rigid definitions. Nevertheless, some principal features are common to all existing operations:

- **they require the consent of the parties;**
- **they cannot be imposed unilaterally or from outside;**
- **they do not involve military enforcement measures or coercive actions, except in the very limited context of self-defence;**
- **they involve the deployment in the field of existing UN staff and of personnel made available to the Secretary-General by Governments;**
- **they are under the operational command of the Secretary-General;**
- **they are deployed to help control and resolve international conflicts or, increasingly, internal conflicts having an international dimension.**

The support—both political and material—of the international community also remains an essential characteristic of UN peace-keeping operations, regardless of their size. Political support by Governments can mean the difference between a party's compliance with the terms of an agreement, and serious infractions that jeopardize lives and progress towards peace.

It costs money to put principles into practice. Expanded responsibilities in the field of peace-keeping translate into greater costs which must be borne by the Governments who authorize these missions. The effectiveness of UN peace-keeping cannot be separated from Member States' adherence to their Charter obligations to pay their assessments. *By the end of April 1992, Member States owed the UN nearly $1,899 million towards its regular and peace-keeping budgets.*

- **The situation has reached the critical stage. In April 1992, the *total annualized cost* of all peace-keeping operations under way was estimated at $2.7 billion.**

- **It's important to keep a sense of perspective with these numbers. In recent years, the world's military establishments spent a total of nearly *a trillion* dollars each year. The reported price tag for the international coalition's military effort in *Operation Desert Storm* was *$1.5 billion per day*.**

The price of UN peace-keeping is, by monetary standards, a bargain. But the UN is more than just good value. The contributions of the membership are certainly a more cost-effective and humane solution to international disputes than the conflict and human suffering that occur when States feel that they are unable—or are unwilling—to use the machinery offered by the UN and resort to war.

CURRENT OPERATIONS (as of April 1992)	STARTING DATE	COST 5/ (US$ millions)	STRENGTH (Approximate)
UNTSO UN Truce Supervision Organization	June 1948	31	Military: 300
UNMOGIP UN Military Observer Group in India and Pakistan	January 1949	5	Military: 40
UNFICYP UN Peace-keeping Force in Cyprus	March 1964	31	Military and police: 2,200
UNDOF UN Disengagement Observer Group	June 1974	43	Military: 1,300
UNIFIL UN Interim Force in Lebanon	March 1978	157	Military: 5,800
UNIKOM UN Iraq-Kuwait Observation Mission	April 1991	67	Military: 550
UNAVEM II UN Angola Verification Mission	June 1991	110 (17 mos thru Oct '92)	Military and police: 440
ONUSAL UN Observer Mission in El Salvador	July 1991	70 (16 mos thru Oct '92)	Military and police: 540
MINURSO* UN Mission for the Referendum in Western Sahara	September 1991	59 (9.5 months)	Military and police: 375
UNTAC* UN Transitional Authority in Cambodia	March 1992	1,900 (15 months)	Military and police: 19,500
UNPROFOR* UN Protection Force	March 1992	607 (12 months)	Projected Military/police: 13,870
UNOSOM* UN Operation in Somalia	April 1992	23 (6 months)	Projected Military/security: 550

TOTAL ROUGH ANNUALIZED COST (all operations 1991-1992): over $2.7 billion

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* not fully operational as of 30 April 1992

PAST OPERATIONS	DURATION
First UN Emergency Force **(UNEF I)**	November 1956 - June 1967
UN Observation Group in Lebanon **(UNOGIL)**	June 1958 - December 1958
UN Operation in the Congo **(ONUC)**	July 1960 - June 1964
UN Security Force in West New Guinea (West Irian) **(UNSF)**	October 1962 - April 1963
UN Yemen Observation Mission **(UNYOM)**	July 1963 - September 1964
Mission of the Representative of the Secretary-General in the Dominican Republic **(DOMREP)**	May 1965 - October 1966
UN India-Pakistan Observation Mission **(UNIPOM)**	September 1965 - March 1966
Second UN Emergency Force **(UNEF II)**	October 1973 - July 1979
UN Good Offices Mission in Afghanistan and Pakistan **(UNGOMAP)**	April 1988 - March 1990
UN Iran-Iraq Military Observer Group **(UNIIMOG)**	August 1988 - February 1991
UN Angola Verification Mission **(UNAVEM I)**	January 1989 - June 1991
UN Transition Assistance Group **(UNTAG)**	April 1989 - March 1990
UN Observer Group in Central America **(ONUCA)**	November 1989 - January 1992
UN Advance Mission in Cambodia **(UNAMIC)**	October 1991 - March 1992

DISARMAMENT:
AN OLD PRIORITY IN A NEW CONTEXT

"In order to speak of disarmament and security in a language that is understandable from the different perspectives of the industrialized and developing nations, it is necessary for both parties to assume the shared responsibility taken by people who live in the same neighbourhood. Let us adopt, then, the idea that our planet has shrunk to the point that the peace of some is impossible if the peace of others is not guaranteed."

Oscar Arias Sánchez, 1987 Nobel Peace Prize Laureate 6/

"Nothing in the habits of man seems more ancient than war, nor more modern."

Bernard Brodie 7/

The constructive changes the world has undergone since the mid-1980s offer encouraging prospects for truly effective disarmament measures. As cold war alignments dissolve, countries are seeking new, cooperative security structures. At this writing, security arrangements in the Commonwealth of Independent States formed by former Soviet republics continue to evolve, with significant—and as yet unknown—implications for everyone's security. Current trends seem to favour reciprocity and restraint, and to accentuate the interdependent nature of security.

Governments appear to recognize that opportunities may evaporate if they are not seized. There is a new sense of urgency in the multilateral efforts to reduce the destructive potential of nuclear, chemical and other weapons of mass destruction. Debate in and outside the UN has revealed a growing interest in measures to reduce the threat posed by conventional weapons, the arms trade and transfers, and new arms-related scientific and technological developments. A sense of urgency must be accompanied by a new sense of responsibility. Progress in disarmament is not a matter of choice or convenience; it is the moral imperative of our time.

Old habits die hard

Genuine progress has been made in disarmament and arms regulation, but the agreements concluded since 1945 have not lessened the need for basic measures to slow the arms race. War has not yet been left behind.

- **Some 150 wars, resulting in some 20 million deaths, have been fought since the end of the Second World War.**

- **In 1987 alone, 22 wars caused 2.2 million deaths, 84% of those civilian.**

- **In 1991, an estimated 50,000 nuclear warheads remained deployed in the world, with a combined explosive energy of some 15,000 megatons—over one million times that of the bomb that fell on Hiroshima.**

Post-cold war disarmament efforts have been made in fits and starts. Military spending habits are dying hard. According to the *Stockholm International Peace Research Institute (SIPRI)*, over 15% of central (i.e. national) government expenditure world wide was allocated to the military in 1990—possibly higher than the shares for health and education. And although developing countries account for only 15% of total world military expenditures, a high proportion of their gross domestic product is spent on the military, impeding the transfer of resources to social and economic sectors.

- **World military expenditures rose to an estimated $900 billion a year by the end of the last decade—almost $2.5 billion every day. At this rate, one day's military spending could run the UN for more than two years.**

- **The estimated global value of trade in major conventional weapons in 1990 was $21.7 billion (in 1985 dollars).**

- **More than 130 countries imported major conventional weapon systems in the period 1986-1990.**

- **A cut of just 10% in military spending by the countries of the North Atlantic Treaty Organization (NATO) would pay for a doubling of aid.**

- **In 1988, the countries of NATO and the now defunct Warsaw Pact were responsible for some 80% of world military expenditures and more than 85% of global arms transfers. In a 1991 speech, then Secretary-General Pérez de Cuéllar pointed out that "*The arsenal at Saddam Hussein's disposal on 2 August 1990 was supplied mostly by the major Powers.*"**

Against this backdrop, only very modest resources have been set aside for disarmament efforts.

The UN and the atomic bomb

A few weeks after the UN Charter was signed, the world entered the age of nuclear terror. On 6 August 1945, the first atomic bomb used in war took over 78,000 lives in Hiroshima in a matter of seconds. Three days later, the second—and, so far, the last—atom bomb used in war took another 40,000 lives in Nagasaki. If the latent effects of these two explosions are included, the number of victims is much greater. 8/

- **A modern hydrogen bomb can have the explosive energy of over 1 million tons of TNT, more than 75 times more powerful than the 1945 fission weapon that was dropped on Hiroshima. A UN study noted that the blast from a 100-kiloton bomb detonated over the centre of a European city with half a million inhabitants would flatten at least half the buildings within a 5 to 6 km (3.25-3.75 mile) radius. Almost everyone within a 2 km (1.25 mile) radius of ground zero would be killed immediately by the blast or its direct after-effects. Radiation would affect many survivors who had at first suffered only minor wounds or partial burns. Should large numbers of nuclear weapons ever be used, the total devastation would be much greater than the sum of the individual explosions. The risk of epidemics, widespread radiation sickness and climatic disasters would increase disproportionately.**

Since its birth on 24 October 1945, the UN has faced one of humankind's greatest threats—nuclear weapons. The cold war heightened anxiety and fuelled the arms race. Despite the tensions that often blunted UN efforts, the Organization has played a vital role, either as a negotiating forum or as a catalyst, in bringing about such important agreements as the 1963 partial test-ban Treaty and the 1968 nuclear non-proliferation Treaty. The General Assembly has devoted three special sessions, and much effort in its regular sessions, to chipping away at the arms race and its root causes.

Towards the end of the 1980s, the nuclear threat appeared briefly to recede as the principal antagonists in the cold war stood down. But the threat of nuclear weapons—and other weapons of mass destruction—remains palpable. The Security Council President's statement at the conclusion of Council's first-ever Summit meeting, in January 1992, recognized that modern weapons continue to make the world a dangerous place.

- **"The proliferation of all weapons of mass destruction constitutes a threat to international peace and security. The members of the Council commit themselves to working to prevent the spread of technology related to the research for or production of such weapons and to take appropriate action to that end."**

Only **China**, **France**, the **Russian Federation**, the **United Kingdom** and the **United States** are officially declared nuclear-weapon States. But the "Pandora's box" of nuclear weapons has been ajar for nearly half a century. Knowledge of nuclear technology is widespread. Proliferation of these weapons may well be crossing the threshold from the realm of the possible to that of the probable, even as the shadow of potential nuclear conflict between the super-Powers recedes. The prospect that other States will eventually acquire and use nuclear or other weapons of mass destruction clouds the horizon. The potential for proliferation raises new problems of control, reduction and eventual elimination of these weapons.

Stopping the nuclear chain reaction

The 1968 *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)* is the fundamental instrument for preventing the spread of nuclear weapons to non-nuclear-weapon States and for promoting the peaceful use of nuclear energy. There are more than 145 parties to the NPT, making it the most widely adhered-to arms agreement in history. Several more States have recently acceded to the Treaty, and in 1991 China and France decided to do so. The other three declared nuclear Powers are original parties. The Treaty's main purposes and provisions are:

- **guarantees to ensure that peaceful nuclear activities of non-nuclear-weapon States are not diverted to producing nuclear weapons or other nuclear explosive devices;**
- **promotion of the peaceful uses of nuclear energy;**
- **promotion of nuclear disarmament;**
- **maintenance of the right of States to establish nuclear-weapon-free zones;**
- **review conferences every five years (four such conferences have been held since the NPT came into force in 1970).**

The non-proliferation Treaty has a fixed duration of only 25 years. In 1995, its States parties will meet to decide its future. The Fourth Review Conference, held in 1990, was unable to agree on a final declaration, or on extending the Treaty in 1995. A number of parties have indicated that, unless a comprehensive test-ban (CTB) treaty can be achieved by 1995, they would seek to tie extension of the NPT to progress towards the goal of a CTB.

Bitter lessons

The world needs an effective non-proliferation regime. The revelation that Iraq, a party to the NPT, was found to be secretly developing nuclear weapons forced the *International Atomic Energy Agency (IAEA)* to grapple with serious limitations in its nuclear safeguards system.

- **Under Security Council resolution 687 (1991), which sets out the terms for a formal cease-fire in the Persian Gulf area, the UN was given unprecedented responsibility for overseeing the destruction of a State's war capabilities. This includes destruction of, removal of or rendering harmless Iraq's chemical and biological weapons and ballistic missiles with a range greater than 150 km and all related components and facilities for their production. The UN was also to cooperate with IAEA in the destruction of all similar capabilities related to nuclear weapons.**

- **Prior IAEA inspections had failed to discover Iraq's nuclear-weapons programme. But as part of the post-Persian Gulf war effort, IAEA inspection teams have played a crucial role in the effort, mandated by the Security Council, to identify and dismantle Iraq's facilities for nuclear-weapon research or production. The Agency's experience in Iraq is driving its efforts to improve the safeguards system. On 26 February 1992, the IAEA Board of Governors agreed to a number of measures to strengthen the system, including the IAEA's ability to conduct special inspections and more detailed requirements on the provision and use of information on nuclear-facility design.**

The cold war may be over, but the prospects for a less nuclear-dominated world are still dim. Even with the present transformation in the world security environment, progress has been relatively modest. Reductions now under way will still leave the nuclear Powers with more than half their present numbers of warheads—enough to destroy the world many times over. The potential for proliferation of nuclear capabilities and other weapons of mass destruction speaks for itself: the appeal of modern weaponry has not diminished.

Staunching the flow

Disarmament must consist of much more than reducing and eliminating *nuclear* weapons. UN disarmament efforts have always involved other weapons of mass destruction, as well as conventional weapons. New dangers will always present themselves. Reducing numbers of weapons without addressing new weapons technology is, at best, only a partial answer. Disarmament must encompass:

- **controlling and eliminating chemical and bacteriological (biological) weapons and increasingly destructive conventional arms;**

- **controlling scientific and technological advances, such as dual-use technology;**

- **controlling arms transfers and addressing the negative effects on development of spending on arms;**

- **developing sophisticated international verification machinery;**

- **reinforcing regional approaches to arms and force limitations; and**

- **minimizing adverse environmental impacts of destroying nuclear, biological and chemical weapons.**

The Persian Gulf conflict gave new impetus to negotiations at the *Conference on Disarmament*—the sole multilateral negotiating body on disarmament—on a draft convention prohibiting chemical weapons. Three resolutions relating to chemical and bacteriological (biological) weapons were adopted by consensus at the General Assembly's 46th session, in 1991. The Assembly strongly urged the Conference on Disarmament to assign the highest priority to achieving final agreement on a chemical weapons convention during its 1992 session.

In September 1991, at their Third Review Conference, the parties to the 1972 Convention that prohibits the development, production and stockpiling of bacteriological and toxin weapons stressed the importance of greater transparency and openness. The Convention needs to be strengthened by inducing more developing countries to join and by establishing an international verification regime.

- **The Third Review Conference strengthened the confidence-building measures decided on at the 1986 Conference. States parties agreed to declare their past activities in offensive and/or defensive biological research programmes and vaccine production facilities. Especially significant was an agreement to establish an ad hoc expert group to identify and examine potential verification measures.**

Another promising development: the General Assembly voted in 1991 to establish a register of conventional arms to include data on inventories and imports and exports of battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, and missiles or missile systems. It also declared its determination to prevent the accumulation of such weapons but stopped short of limiting or prohibiting their transfer. A common approach to openness in the transfer of high technology with military applications, and of weapons of mass destruction, is to be addressed by the Conference on Disarmament.

Other recent developments

- The 1987 *Treaty between the United States and the Soviet Union on the elimination of their intermediate-range and shorter-range missiles (INF)* was the first-ever nuclear disarmament agreement, eliminating an entire class of their nuclear weapons.

- In November 1990, the *Treaty on the reduction of conventional armed forces in Europe (CFE)* was signed. The Treaty seeks to establish a stable and secure balance of conventional forces at lower levels and has been hailed as the most ambitious arms- and force-limitations agreement ever.

- The Conference on Security and Cooperation in Europe (CSCE) *Vienna Document of 1990 substantially enhances earlier confidence- and security-building measures* contained in the 1986 Stockholm CSCE Document. Both represent important steps in reducing the chance of conflicts in Europe.

- By 1991, the *United States and the former Soviet Union reached agreement on reducing their strategic nuclear arms (START)*. Unilateral moves taken later by both sides dramatically extended the cuts—the most dramatic ones ever in nuclear weapons—to new areas, such as types of missiles and the development of new warheads.

- In Latin America, the *Presidents of Argentina and Brazil renounced the production and acquisition of nuclear weapons in the November 1990 Foz do Iguaçú Declaration of a Common Nuclear Policy*. Subsequently, representatives of the two Governments, the Joint Brazilian-Argentine Agency for Accounting and Control of Nuclear Material, and IAEA signed a comprehensive nuclear safeguards agreement. *Chile* and *Uruguay* have now endorsed the Foz do Iguaçú Declaration and expressed interest in joining the regional safeguards agreement.

- In September 1991, *Argentina, Brazil and Chile signed the Mendoza Declaration prohibiting the development, production, acquisition, storage or transfer of chemical or biological weapons.*

- The "*Open Skies*" *Treaty*, signed on 24 March 1992 by 24 nations participating in the CSCE meeting in Vienna, is perhaps the most wide-ranging confidence-building measure ever agreed, allowing unhindered surveillance flights through the airspace of signatory countries.

The ice age is over, but are mammoths extinct?

In a memoir published after the Second World War, a former Japanese Foreign Ministry official wrote:

> **"...the construction of warships meant a crushing burden upon the national treasury. And yet we built a good number of them. We also maintained a vast army and an ever-expanding air force. In the end we became like the woolly mammoth whose tusks, growing ever bigger, finally unbalanced its bodily structure. As everything went to support the huge tusks, very little was left to sustain the rest of the body. The mammoth finally became extinct...Why did the mammoth arm itself with weapons such as ultimately to bring about its destruction? Because it was apprehensive...Why was [it] apprehensive? Because [it] had enemies. Why were there enemies? Because [its] aggressive policy excited suspicion in others...[A]rmaments are a relative affair. There is no end to an armament race. 9/**

EXTERNAL DEBT: SEARCHING FOR A BETTER BALANCE

UNITED NATIONS

"Please do not attempt to do us any more good. Your good has done us too much harm already."

Sheikh Mohammad Abdou, Egyptian leader, to British rulers in 1884 10/

In early March 1989, riots broke out on the streets of Caracas and other cities in Venezuela. For four days and nights, police clashed with people protesting against falling living conditions and soaring prices. Several hundred were killed or wounded. President Carlos Andres Pérez, responding to the riots, said *"the crisis we are undergoing has a name written in capital letters, FOREIGN DEBT".*

Voices of reason—and alarm

A few months later, in a speech at Poland's Research Centre on Debt and Development, the then UN Secretary-General Javier Pérez de Cuéllar drew a bleak picture of the world economy. He warned that in developing countries, burdened by mounting debt and riddled with poverty, the struggle for a better standard of living had now moved into the streets. *"Many deaths have occurred in the indebted countries...as a result of the tension that arises from economic stress and social degradation,"* he said.

In December 1991, Boutros Boutros-Ghali, in his speech accepting his appointment as the sixth UN Secretary-General, identified developing-country debt as one of the most serious problems facing the world economy. He said that tackling it would be a priority in his efforts to narrow the gap between North and South.

The two Secretaries-General, their statements separated by some three years, were voicing their shared concern at an international problem that has persisted for the better part of two decades. Today, developing countries owe foreign creditors over *$1.3 trillion*, the equivalent of half their combined gross national products (GNPs) and nearly twice their annual export earnings. Their annual principal and interest payments now run at about $150 billion—roughly three times as much as the developing world receives in financial assistance.

- **The 15 most heavily indebted developing countries include 10 in Latin America (*Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Mexico, Peru, Uruguay* and**

Venezuela); three in Africa (_Côte d'Ivoire_, _Morocco_ and _Nigeria_); one in Asia (_Philippines_) and one in Eastern Europe (_Yugoslavia_).

- **The total external debt of _Latin American and Caribbean_ countries is over $500 billion: this is about three times the region's annual export earnings.**

- **_Africa_'s total debt exceeds $270 billion—the equivalent of more than three quarters of the continent's combined GNP.**

- **The _least developed countries (LDCs)_—their number up from 24 in 1971 to 47 in 1992—owe creditors over $95 billion. The ratio of their debt service payments to exports of goods and services rose from 11% in 1980 to 28% in 1989. Debt service payments exceeded 80% of export receipts in Uganda and 120% in Somalia. Per capita debt in Madagascar and Zambia, two of the newest LDCs, is over $328 and $850 respectively.**

When cutting the "fat" means thinner children

To repay and service this huge debt, developing countries often cut spending on social services, food subsidies, education and health. The situation is particularly grave for the poorest countries. Per capita spending by LDCs on health fell by nearly a quarter, and on education by nearly half during the 1980s. Their total debt may appear modest compared to the major debtors, but their ability to boost earnings through exports and raise revenue internally is severely limited.

Heavily indebted countries often need fresh loans to finance initiatives to increase exports, generate employment and support government programmes. To ensure access to external funding sources, they must keep up their annual interest and debt amortization payments. The poorest among them are left with so little foreign exchange that they are unable to import even essentials like food and medicine. In many heavily indebted African and South Asian countries, economic growth has practically come to a halt. The results: more poverty, greater human misery. UNICEF has repeatedly drawn the world's attention to the social impacts of the debt crisis, particularly on the most vulnerable members of society. UNICEF's 1989 _State of the World's Children_ report estimated the magnitude of the impact:

- **"It is children who are bearing the heaviest burden of debt...at least half a million young children have died in the last twelve months as a result of slowing down or reversal of progress in the developing world."**

Poverty: the context of debt

Debt in itself is not necessarily bad. Obtaining loans can be a positive factor in financing development. For a banker debt becomes a problem only when the borrower is unable to meet the payments. It's up to the borrower to "tighten his belt" if necessary. When the borrower is a country, tightening one's belt may in fact mean tightening a noose around the neck of an entire population.

- **In the 1980s, the number of the absolute poor increased to well over 1 billion. Today, one in five people survives on less than $1 a day.**

- **In developing countries at least 40,000 children die every day of malnutrition and curable diseases.**

- **Women giving birth die at the rate of one every minute—more than 500,000 a year—for lack of adequate nutrition, prenatal care and basic childbirth facilities.**

- **Over 900 million adults can't read or write; 100 million children are unable to attend school.**

One of the results of the debt crisis has been the *"feminization of poverty"*. According to a recent expert study undertaken for the *Commonwealth Ministers Responsible for Women's Affairs*, women in developing countries *"have been at the epicentre of the [economic] crisis and have borne the brunt of the adjustment efforts"*.

- **Women in developing countries, UNICEF has pointed out, work twice as many hours as men for one tenth the income. Drastic cuts in education and health have exacerbated existing inequalities between men and women and marginalized women even further. In parts of Africa and Latin America, austerity measures have increased unemployment among women and reduced their purchasing power. For the first time in many years, maternal and infant mortality rates in those regions are beginning to rise, while enrolment of girls in school is starting to fall.**

Roots of a crisis

The roots of the current debt crisis lie in the structure of the world economy and unequal economic relationships between nations, as well as in domestic institutions.

- ***Fluctuating interest rates*** **affect the cost of both new and old loans. For example, by the end of 1980 United States banks, which were among the heaviest lenders to developing countries, were charging a record 21.5% interest. This all-time high was, historically**

speaking, an aberration, but it demonstrates the vulnerability of debtor countries to fluctuations in rates. By 1984, every 1% rise in interest rates added $700 million to the annual payments of Brazil alone. Significant drops in interest rates ease the immediate financial burdens on developing countries without reducing their stock of debt, leaving them vulnerable to future rises.

- *Prices of most primary products*, developing countries' main exports, fell sharply between 1980 and 1988: sugar by 64%; tin by 57%; coffee by 30%; and wheat by 17%. But prices for manufactured goods that developing countries import have risen by more than 25%. For example, it now takes the equivalent of more than seven tons of sugar to buy a tractor, whereas it used to take two tons.

- *Trade barriers imposed by many industrialized countries* hinder developing countries' efforts to generate economic growth by producing goods for export. For example, developing-country exports of fresh pineapples to the European Economic Community are subject to a 9% tariff. Tinned pineapples face a tariff of 32%. Pineapple juice is taxed at 42%. According to a 1986 estimate of the World Bank, developing countries' existing exports could earn nearly $6 billion *more* a year if industrialized countries cut tariffs on agricultural products by half.

- *Management* of borrowed money presents problems for many third world countries. Governments have often undertaken expensive "prestige projects" for political rather than sound economic reasons. Ministries responsible for overseeing expenditures may have inadequate staff or insufficient controls. In the Philippines, a nuclear power station built at a cost of over $2.8 billion remains inoperative because it was built in an earthquake zone. Much of the money for its construction was lent by a Western bank. Servicing the debt costs the country an estimated $355,000 a day. Among the project's beneficiaries was a transnational corporation which sold to the Philippines, as the country's Secretary of Industry put it, "*one reactor for the price of two*".

- The financial drain of debt repayment is aggravated by *capital flight*: money that developing countries borrow or earn through exports often finds its way back to banks in the North. Between 1974 and 1985 this trend cost African countries more than $30 billion. Latin America's capital flight is equivalent to more than half the external debt of its major nations. One high-level Mexican banker estimated capital flight from his country between 1979 and 1983 at over $90 billion—more than Mexico's entire debt at the time.

- On average, developing countries devote one dollar in every five borrowed to *military spending*. In the mid-1980s, their military establishments spent well over $145 billion

annually—an amount nearly equal to their annual principal-and-interest payments. Many poor countries of South Asia and sub-Saharan Africa now spend two or three times as much on arms as on education. According to one estimate, in the 1980s the Ethiopian Government at the time spent $44 per person on the military and only $13 on health. The *UN Development Programme's* Human Development Report for 1991 estimated that merely freezing third world military spending for the next few years could release $10-15 billion yearly for human development.

The sharp rise in oil prices in 1973-1974 and later in 1979 made oil exporting countries enormously rich but it strained, and in some cases devastated, the economies of oil-importing developing countries. When oil prices later fell sharply, oil-exporting countries that had borrowed heavily during the boom years were hit hard.

Drug trafficking, emigration to the North and political instability are among the symptoms of frustrated populations of heavily indebted countries of the developing world. Debt scars the environment as well as the people, as the Secretary-General's 1990 report on the debt problem pointed out:

- **"The desperate search for land to be used for pasture and low-level cultivation, the overcrowding of the large cities in Latin America and Asia, and the lack of fuel—all lead to deforestation and desertification, all primarily due to economic stagnation and decline."**

The crunch: 13 August 1982

The debt problem has been a factor in international economic relations since the 1960s, but it did not take on crisis proportions until 1982. On 13 August that year, Mexico announced that its coffers were empty. It advised that it was suspending payments of both interest and principal on its $26 billion debt. Other countries soon made similar announcements. Several postponed payments. Peru unilaterally limited interest payments. Others sought new arrangements with creditors. A shock wave shook the banking and financial world. The principal lenders to Latin America are large commercial banks. A default by any major debtor country would have far-reaching consequences for the global economy.

In Mexico's case, the short-term solution was to reschedule its payments. Banks provided fresh loans to avert Mexico's default. In return, Mexico agreed to "austerity measures" affecting government spending and economic management. The peso was devalued, food subsidies were reduced, domestic prices were raised and imports were reduced. The package deal, negotiated by the **International Monetary Fund (IMF)**, was labelled "*structural adjustment*" and became a model for

other debtor countries facing default. Today, more than a decade after the "Mexico crunch", the debt crisis is deeper and wider.

- **More than 70 developing countries are now considered seriously indebted.**

  The total debt of the 15 severely indebted middle-income countries, at the end of 1990, stood at $506 billion.

- **Eastern European countries have joined the ranks of the indebted, their gross commercial debt rising from $5.6 billion in 1970 to $153 billion in 1990. The convertible currency debt of the former Soviet Union (excluding arrears) alone was $55 billion at the end of 1990.**

Living conditions have deteriorated in the heavily indebted developing countries, particularly for the very poor, as Governments have pursued structural adjustment programmes to attract external financing.

- **Austerity measures, taken by Governments to maintain or restore their creditworthiness, have eroded purchasing power, affecting the poor most. In 1982, for example, the average Mexican worker had to work 45 minutes to afford a pound (500 grams) of chicken; by 1989, the same pound of chicken required three and half hours' labour.**

Uganda, one of Africa's poorest and most heavily indebted countries, illustrates how debt can lead to stagnation in development. According to Debt and Democracy, published by the London-based **Institute for African Alternatives**, under IMF's structural adjustment programme half of Uganda's budget was devoted to servicing its debt. Oil imports and military spending accounted for another 40%.

Negative flow

The flow of external finances to the developing countries has shrunk. But the amounts they pay in debt service to international financial institutions, foreign Governments and commercial banks continue to increase.

- **Developing countries today pay to foreign creditors roughly $30 billion more than they receive in new lending each year. Between 1983 and 1988, the reverse flow of resources deprived them of over $155 billion. Even some multilateral financial institutions are net recipients of funds from the developing countries, since total repayments from developing countries exceed the flow of funds to them from these institutions.**

This flow of money from South to North widens the gap between developed and developing countries.

- **The sharp decline in new money to developing countries during the 1980s meant that net resource transfers to those countries, after deducting for interest on existing debt, shifted from a positive $46 billion in 1981 to a negative $17 billion in 1988.**

- **Commercial financial flows to developing countries from foreign sources virtually dried up in the 1980s. In 1981, net flows to developing countries from private creditors and commercial banks totalled $53 billion. By 1989, this figure had dwindled to $4 billion.**

- **Net flows from official sources have also declined by half during the period, although net flows from multilateral sources rose from $7.8 billion to almost $12 billion in 1989.**

According to the **World Bank**, the availability of external finance for developing countries in the medium term will remain difficult and aggregate net transfers will be slightly positive by 1995.

- **Net flows to developing countries are expected to increase at 8.9% a year on average in 1990-1995, which is slightly lower than the projected growth of export earnings in developing countries. However, the developing countries' larger stock of debt, relatively high real interest rates, and rising expatriation of profits on the growing stock of investment by foreign enterprises will leave them with limited resources to invest.**

Third world debt: a burden on the North as well?

Developed countries also pay a price for economic stagnation in developing countries caused by accumulated debt:

- **Reduced North-South trade usually hurts employment in developed countries. The United States, for example, lost an estimated 1.8 million jobs in 1987 due to a fall in exports to developing countries. Reduced trade with the developing world has cost Western Europe some 2-3 million jobs.**

- **The United States, in particular, stands to gain from an end to the debt crisis. Faced with its own enormous trade deficit, it needs customers. Many potential customers are spending 30% to 50% of their foreign exchange earnings on servicing debt rather than importing goods. An analysis cited in UNICEF's State of the World's Children 1990. estimated that resolving the debt crisis could reduce the United States trade deficit by up to $30 billion a year.**

Breaking out of the "debt trap"

The debt problem was long viewed mainly as a problem of liquidity. A country's inability to keep up with its payments was attributed to temporary or short-term difficulties. Its payments were rescheduled, a new date for repayment was set and, if necessary, new loans were provided. Beginning in the mid-1980s, new ideas for longer-term solutions started to emerge. The focus soon shifted from market solutions to debt reduction.

- ***Baker plan*: James Baker, then United States Treasury Secretary, proposed in 1985 that the debt crisis could be overcome by spurring renewed growth through increased lending by commercial banks and funding from multilateral financial institutions like IMF and the World Bank. The plan never really took off. Multilateral development banks lacked sufficient resources and commercial banks remained reluctant to extend new loans.**

- ***The Toronto summit*: In 1988 the seven leading Western industrialized nations proposed debt relief options, including "debt forgiveness" for official (Government to Government) debts. They later agreed to: forgive one third of debt service due, with the option of rescheduling the rest; extend loan maturity dates; or reduce interest rates to below-market levels. Only countries agreeing to implement an IMF/World Bank adjustment programme are eligible for any of these options. Between October 1988 and June 1991, 20 countries rescheduled their debts under the Toronto terms but the short-term cash flow benefits were small.**

- ***Brady plan*: In 1989, United States Treasury Secretary Nicholas Brady urged commercial banks to write off a portion of third world debts and to grant temporary waivers on payment of interest and principal for up to three years. This was to be supported by guarantees and enhanced financing through IMF and the World Bank. The plan dominated commercial-bank debt renegotiation in 1990 and 1991, which resulted in agreements with Costa Rica, Mexico, Morocco, Nigeria, the Philippines, Uruguay and Venezuela.**

- ***IMF facilities*: In 1987, IMF created the *Enhanced Structural Adjustment Facility (ESAF)* to help low-income countries with long-standing balance-of-payment problems adjust their economies and spur medium-term growth. This supplemented the original *Structural Adjustment Facility (SAF)* set up by the Fund in 1986. In 1991, IMF was projected to supply financing to 24 sub-Saharan African countries of $600 million under SAF and ESAF.**

The case for "debt forgiveness"

During his term as Secretary-General, Javier Pérez de Cuéllar noted that the debt problem will not be solved by piling up more debt, especially if, in the end, there is little economic growth to show for it. Debt reduction, not merely debt relief, is needed. "*Debt forgiveness*", though considered the most radical of the debt relief options, may be the only realistic answer, especially for some countries with little export potential.

Neither commercial banks nor creditor Governments favour large-scale debt forgiveness. For their part, debtor countries are reluctant to press too hard for debt forgiveness or unilaterally to declare a complete moratorium on repayment for fear of losing their credit standing. However, growing evidence of some developing countries' inability to repay has led several developed countries to write off debt voluntarily for selected developing countries.

- **Official loans account for nearly two thirds of the outstanding debt of the LDCs. The majority of the Organization for Economic Cooperation and Development (OECD) creditor countries have adopted a policy of providing assistance to LDCs in the form of grants, not loans. They have also taken steps to write off existing official loans to LDCs. By October 1990, the amount of such cancelled debt was $11 billion.**

- **In 1991, official creditors agreed to reduce the official bilateral debt of Poland and Egypt by 50%—about $24 billion, a figure more than twice the total amount of all the debt cancellations by members of OECD in the last 13 years.**

- **At the Second UN Conference on the LDCs in September 1990, the Netherlands suggested that all official bilateral debt owed by LDCs and other low-income countries be cancelled for countries implementing IMF-supported economic programmes.**

- **In 1990, the United Kingdom, in the so-called *Trinidad Terms*, proposed that Paris Club creditors should cancel two thirds of the stock of debt owed by eligible countries in a single operation, with the remaining debt rescheduled over 25 years.**

Innovation and the debt market

In addition to these official and multilateral measures, new strategies, like *debt-to-equity swaps* and *debt-to-nature conversions*, have evolved in recent years to deal with the commercial obligations of indebted countries. In one variation, creditor banks sell debts for convertible currency at a discount to an investor who wishes to do business in the debtor country. The investor then sells the debt to the debtor Government and is paid in local currency which can be used for business ventures in the country.

- **In 1988, Midland Bank, based in the United States, made a debt-for-development deal with the Sudan. Midland agreed to write off its $800,000 debt after the Sudan paid the equivalent in local currency to UNICEF for a health, water and reafforestation programme in drought-stricken areas of the country.**

- **In 1987, Conservation International, a United States-based non-governmental organization (NGO), concluded one of the first debt-for-nature deals. It paid $100,000 for $650,000 worth of Bolivian debt on the secondary market. It agreed to write off the debt once Bolivia agreed to create a 1.6-million-hectare (nearly 4 million acres) rainforest conservation zone.**

- **In 1986, Nissan, a Japanese car company, concluded a deal to purchase $60 million worth of Mexico's debt for $40 million. The Mexican Government bought the debt from Nissan for $54 million, paying in pesos, which Nissan used to set up the company's Mexican subsidiary.**

- **Bolivia and Chile have themselves bought back some of their outstanding loans on the secondary markets.**

Several countries, mostly in Latin America, have managed to reduce their debt through debt swaps, but overall relief has been modest. The 15 most heavily indebted countries have reduced their outstanding medium- and long-term debt to private creditors from $330 billion in 1987 to a little more than $260 billion in 1990. However, the actual reduction has been minimal, since portions of the debt were replaced with newer debt or other foreign obligations.

How effective has the current, more structural approach to overcoming the debt crisis been? The Secretary-General's 1991 report on the external debt crisis and development indicates that some progress has been made but success has been limited.

- **"Most debt-crisis countries still need additional rounds of rescheduling...The deep discounts that remain in secondary-market bonds on most developing-country bank debt point to a continuing crisis. But there have been some signs that voluntary private-capital flows are beginning to return to some severely indebted economies (like Chile, Mexico and Venezuela) in the form of project-related finance and borrowing by private or State-owned companies and official entities."**

These Latin American countries have encouraged corporate investors and have been rewarded with a surge of foreign direct investment. According to the World Bank, "*the most important source of encouragement has been the creation of a domestic environment conducive to private investment*".

Such investment was estimated to have totalled $3.6 billion in Chile, Mexico and Venezuela in 1990 and was projected to reach $5.3 billion in 1991—roughly twice the 1989 level.

The end of the debt crisis is still far off. General-purpose lending is still very limited; only financially strong *companies*—as opposed to countries as a whole—have gained some benefits. Commercial banks are unlikely to resume lending to developing countries in any significant volume and direct foreign investment is not expected to increase dramatically for both economic and political reasons.

- **Increased demands from Eastern European countries, including the republics of the former Soviet Union, may create a "global capital shortage". The World Bank has noted that developing countries may feel its effect through higher interest rates rather than any "abrupt rationing" of capital.**

- **A 47-nation conference of foreign ministers in Washington, D.C. in January 1992 promised the former Soviet Union fresh loans and grants, bringing the total assistance pledged since September 1990 to over $80 billion. This amount, if actually lent, would roughly equal the net flow to developing countries in 1991.**

A role for the United Nations

In recent years, the UN has increasingly provided a forum for both developed and developing countries to explore alternative approaches and formulate guidelines for dealing with key economic and social issues, including debt.

- **A *special session of the General Assembly* in April 1990 considered ways to promote the revitalization of the economies of the developing countries. A new programme of action for LDCs was agreed at the *Second UN Conference on the LDCs* in September 1990. The *International Development Strategy for the Fourth UN Development Decade*, outlining actions for revitalizing economic growth and development in developing countries, was adopted by the General Assembly in December 1990.**

- **The Secretary-General's 1990 report on debt included proposals for action to promote the speedy and effective lowering of the debt burden, including: *sharper reductions under the Brady plan; longer-term rescheduling and greater concessionality; and increases in the flow of official development assistance.* The report has contributed to the debate over debt relief and reduction.**

More than just talk

The UN and more than 30 related programmes and specialized agencies also provide direct assistance for development:

- **In 1990, the UN system disbursed more than $8.5 billion in development assistance to developing countries. Of this, $4.7 billion was in the form of grants and $3.8 billion concessional loans. The resources were channelled to implement development activities undertaken by various organizations and agencies of the UN system, among them the *UN Development Programme*, *UNICEF*, *UN Population Fund*, the *World Health Organization*, *the Food and Agriculture Organization of the UN*, the *International Fund for Agricultural Development* and *UNESCO*. The *World Bank* and *IMF* are the system's main lending institutions. About half of the UN system's concessional development assistance in 1990 was provided to LDCs.**

Making growth possible

The eighth session of the UN Conference on Trade and Development (UNCTAD VIII) in February 1992 proposed new strategies for responding to the economic challenges of the developing countries. In his report to the Conference, UNCTAD's Secretary-General outlined some of the challenges for national and international policies in the 1990s:

- ***Mobilizing resources for development*: Developing countries have limited scope for increasing the level of savings at home, but the ways they allocate and use savings can be improved. Greater public- and private-sector financial discipline and judicious fiscal, monetary, and price and income policies are needed. Political pluralism within societies can contribute to transparency in domestic decision-making, leading to greater accountability and more efficient use of resources. Particular attention should be paid to redirecting defence-sector spending to civilian goals. At the international level, more vigorous debt relief measures and more external resources are required. Lower international real interest rates would ease debt servicing difficulties and release resources for investment and growth in developing countries.**

- ***Privatization* can improve efficiency in developing countries. Many public-sector companies are notoriously inefficient and reform is clearly needed. However, privatization alone does not guarantee growth, which depends more on management quality, financial discipline and competition than on ownership.**

- ***Improving the trading environment*: The international trading system is rife with persistent protectionism, managed trade, and unilateral actions that place developing**

countries at a disadvantage. Reforms are needed to foster a more open and transparent world trading system that gives developing and Eastern European countries the protection and support needed to integrate them with the world economy.

- ***Promoting technological dynamism*: Science-based technologies are emerging as prime determinants of economic and social progress. Developing countries need direct foreign investment, access to foreign markets, and inclusion in strategic alliances and information-sharing networks.**

Towards a better balance

During the 1980s a significant part of mankind improved its living conditions, but a greater proportion suffered severe setbacks. A "battle for better balance" between developed and developing countries is under way. As UN Secretary-General Boutros Boutros-Ghali pointed out at UNCTAD VIII:

- **"With its experience and understanding of the globality of issues, the United Nations must be utilized to make the world a safer abode for all its people—a new world from which poverty, malnutrition, famine and epidemics have been banished, a world in which nations can live together in harmony, on a basis of equity and equality."**

REFUGEES: THE LONG ROAD HOME

UNITED NATIONS

"The country of origin must accept responsibility for its own citizens, both in terms of preventing situations which can give rise to refugee flows and creating conditions which allow their safe and voluntary return".

Sadako Ogata, UN High Commissioner for Refugees

"In the 13 years we have been here...our children could have grown up to become doctors and lawyers, but all they've done is sit here in the dust. It is such a waste."

Shah Mahmood, Teacher, Hawal No. 8 Refugee Camp for Afghan Refugees in Pakistan. 11/

The political and economic turmoil of our time can be traced in the footsteps of people on the move. At the end of 1991, an estimated 17 million people—a number greater than the populations of half the UN's Member States in that year—had fled their home countries to escape persecution, political unrest or civil war. Millions more were displaced within national borders for similar reasons. Together, refugees and the internally displaced number over 30 million persons, uprooted from their homes and scattered on virtually every continent.

UNHCR and UNRWA: temporary institutions for an enduring problem

The situation of refugees was among the earliest concerns of the United Nations. The General Assembly, at its first session, stressed that no refugee or displaced person who expressed valid objections to returning to his country of origin should be compelled to do so. Article 14 of the **Universal Declaration of Human Rights**, adopted by the Assembly in 1948, declares that "*Everyone has the right to seek and to enjoy in other countries asylum from persecution.*"

In 1946 the Assembly established the **International Refugee Organization (IRO)**, a temporary specialized agency to seek solutions to the problems of refugees, most of whom were in camps in Europe. When it became clear that IRO's limited, specific mandate would not solve the whole refugee problem, the Assembly created the **Office of the UN High Commissioner for Refugees (UNHCR)** in 1951, initially for 3 years. UNHCR's mandate has been repeatedly renewed by the Assembly for 5-year periods. Since its establishment, UNHCR has helped some 26 million refugees find durable

solutions to their problems. UNHCR has also been frequently called upon to assist people uprooted and displaced by man-made disasters within or across national borders, even though they do not fit the formal definition of refugees.

The plight of refugees from Palestine following the Arab-Israeli conflict in 1948 led the General Assembly to create a special organization in 1949—the **UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)**—to assist them.

Who is a refugee?

According to UNHCR's *Statute* the High Commissioner's protection extends to "*Any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political opinion, is outside the country of his nationality*" and *does not have the protection of a national Government.*

- **The *1951 Convention relating to the Status of Refugees*, adopted by the General Assembly, established the minimum rights of persons who became refugees as a result of events occurring before 1951. A *1967 Protocol* extended the provisions of the Convention to refugees who fled their country of nationality as a result of events which occurred after 1951 anywhere in the world.**

- **These instruments firmly establish the principle of "*non-refoulement*", which ensures protection for refugees against return to countries where they would be in danger. They also affirm the rights of refugees to work, education, public assistance, social security and travel documents. Several other regional instruments also protect refugees.**

In a June 1991 speech, the UN High Commissioner for Refugees described refugee movements as one symptom of growing populations ill-at-ease at home:

- **"The process of political and economic adjustment which we are experiencing today, the widening economic gap between the North and the South, the pressure of poverty and the aspirations of a better life, coupled with technological advances in transport and information, have led to massive movement of people."**

But the High Commissioner has also stressed that refugees and migrants are distinct categories. They require different responses. *Migrants exercise an element of choice* and planning in their decision to move. *Refugees are forced to flee* from their countries' political conflicts to save their lives and freedom. Those forced to flee need protection, even if they do not neatly fit the terms of the 1951 Convention.

International protection and durable solutions

UNHCR's ultimate goal is to achieve durable solutions for refugees' problems by enabling them to return home if they wish, or to integrate or resettle in a new home country. Until such solutions are found, UNHCR extends international protection to refugees by:

- **promoting adoption of international standards for the treatment of refugees;**
- **encouraging States to adhere to international instruments guaranteeing the rights of refugees and encouraging the development of "refugee law" within States;**
- **ensuring that in countries of asylum refugees enjoy, as much as possible, equal treatment with nationals of those countries;**
- **promoting the granting of asylum to refugees and ensuring respect for the principle of "*non-refoulement*", that they are not forcibly returned to a country where they fear persecution;**
- **promoting wider knowledge of recognized international principles for the treatment of refugees;**
- **helping refugees to cease being refugees, either through voluntary repatriation to their countries of origin, naturalization in their country of residence, or resettlement to a third country.**

UNHCR's overriding priority is to ensure refugees' well-being and provide them with emergency relief. The Office works with a variety of governmental and semi-official organizations, intergovernmental bodies and agencies of the UN system, as well as some 200 non-governmental organizations (NGOs). With these partners, UNHCR advocates respect for refugees' rights, and provides emergency relief and practical help towards a durable solution of their problem, as well as counselling, education and legal assistance.

- **A staff of about 2,000 works at UNHCR headquarters in Geneva and in over 100 countries. The total cost of all UNHCR activities in 1991 passed the $850 million mark.**
- **In January, UNHCR's 1992 operational budget was estimated at more than $940 million, including funds for ongoing assistance to about 620,000 people who returned home in 1991 but who need continuing aid to rebuild their lives.**

The most numerous and the most vulnerable

Seventy-five per cent of UNHCR's beneficiaries are women and children; women and girls make up the majority. These refugees are particularly vulnerable to exploitation and abuse, violence, disease and malnutrition. Their needs require special efforts for international protection and material assistance. UNHCR plays an advocacy role, persuading Governments to provide protection to women and children refugees. UNHCR also recognizes women refugees as an important resource, contributing to the self-sufficiency of their families and the development efforts of their communities.

A threatened principle

The principle of *non-refoulement* is threatened even in countries with a long tradition of generosity towards refugees. Massive movements of people strain the resources of some countries of asylum—particularly developing countries. Refugee flows often complicate or set back development plans. Humanitarian assistance to refugees can lead to resentment by local populations who must often struggle to survive themselves.

- **It has been over two years since Liberian refugees fled to neighbouring countries. All along the borders of Côte d'Ivoire, Guinea and Sierra Leone, individual families took in refugees, shared meagre food supplies and often gave them land to farm. But friction between the refugees and their hosts is becoming more evident. The presence of some 800,000 refugees has strained limited services and, in some cases, undermined traditional institutions of authority. In 1991 Côte d'Ivoire adopted a more stringent policy in granting refugee status to new arrivals.**

Pockets of anti-immigrant sentiment, especially in some industrialized countries, have led to cases of discrimination against refugees and asylum-seekers. Some groups have pressured Governments to restrict immigration and reject requests for asylum.

Refugees' difficulties have been compounded by a variety of practices—official and unofficial—including detention without administrative review or confinement in closed camps. UNHCR reported in 1991 that some Governments have adopted restrictive interpretations of the international conventions regarding refugees.

- **A handful of countries rejected asylum-seekers even though they had demonstrated a well-founded fear of persecution, because they could not prove that their fear extended to the entire territory of their country of origin.**

Some Governments have issued expulsion orders against refugees, returned them forcibly to countries they fled, electrified fences to prevent entry, or prevented boatloads of asylum-seekers from

making landfall. Despite complaints by UNHCR and NGOs, some Governments have imposed fines on international airlines for transporting asylum-seekers who lack valid travel documents, shifting onto airlines the burden of considering their requests for asylum. Companies are likely to err on the side of excluding those who lack valid visas, although they may qualify for admission.

- **In late 1990, as war was brewing in the Persian Gulf, 156 Iraqi Kurds chartered an Egyptian airliner and flew to London to request asylum. United Kingdom authorities fined the airline more than $260,000 for not making sure the Kurds had valid visas.**

To help protect refugees' rights, UNHCR advises and trains Government officials and others on fair and speedy procedures for determining refugee status and on implementing international refugee instruments in national legislation and administrative measures. UNHCR is also a reference point for Governments, NGOs and others concerned with the treatment of refugees.

- **UNHCR's *Centre for Documentation on Refugees* maintains databases and publishes information on international agreements and national legislation pertaining to refugees. An *International Refugee Electronic Network*, established and maintained by the Centre at the request of NGOs, facilitates communication among members of the network.**

Voluntary repatriation: land-mines on the road home

The prospects for settlement of a number of long-standing conflicts and the promise of peace in these areas have prompted the High Commissioner for Refugees to refer to 1992 as the "*Year of Voluntary Repatriation*". Other factors in the movement homeward are the limited capacity of receiving countries to absorb refugees and the change in East-West relations, which have reduced the prospects for integrating refugees into the countries of first asylum or resettling them abroad. Voluntary repatriation has become refugees' most viable option, but it depends upon an acceptable political settlement of the situation that drove them from their homes in the first place. A few examples help illustrate the prospects for—and obstacles to—voluntary repatriation.

- **As 1992 began, UNHCR was expected to launch more than 20 operations during the year for the organized repatriation of 1.7 million people, and assist 720,000 more who are expected to return home spontaneously.**

- **At the beginning of 1992 repatriation operations were planned across Africa. Refugees in neighbouring lands were expected to return to *Angola, Burundi, Chad, Eritrea, Ethiopia, Liberia, Mozambique, Rwanda, Sierra Leone, Somalia, South Africa, Western Sahara,* and *Zaire*. Roughly one third of the world's refugees, and 40% of UNHCR's expenditures, are in Africa.**

Horn of Africa: In the Horn of Africa the situation of refugees, displaced persons and the humanitarian workers trying to help them has been described as a nightmare. The eastern Ogaden has not seen a drop of rain in three years, and the entire Horn of Africa region has been plagued by drought. Many areas have been bloodied by civil war for decades. In December 1991 the number of refugees and returnees criss-crossing the region or massed in camps was estimated at nearly 1.9 million. Fear of civil war or the desperate search for food and water could force millions of others displaced within national borders across international frontiers at any time.

- **Armed bandits' attacks on relief convoys and individual humanitarian aid workers have hampered and, on occasion, halted food distribution to nearly 500,000 Somali refugees in Ethiopia. Despite the Government's attempts to open safe corridors and provide security for convoys, the attacks continued to the end of 1991. This situation, coupled with the refugees' desire to return home, has prompted UNHCR to consider repatriation of Somali refugees in camps along the border. The road home is treacherous. Somalia is littered with tens of thousands of land mines. By December 1991 a UNHCR-sponsored programme had already destroyed 10,000 mines and other explosives—manufactured in 12 different countries.**

South Africa: Voluntary repatriation of some 20,000 South African exiles, mostly from neighbouring States, was already under way at the beginning of 1992. An agreement on the exiles' return was concluded in 1991 between UNHCR and the South African Government after 501 days of intensive negotiations. UNHCR is the first UN agency to establish a presence in South Africa in more than 30 years. It will continue to assist South African returnees for six months after they repatriate, to help them cope with the difficult economic conditions in the country.

Cambodia: The October 1991 Paris agreement on a comprehensive political settlement of the Cambodia conflict opened the door for Cambodian refugees and displaced persons to return home. Helping them voluntarily return to their country is one of the main tasks of the **UN Transitional Authority in Cambodia (UNTAC)**. UNHCR has been designated the lead agency for the repatriation operation.

- **The number of potential Cambodian returnees is more than 370,000. Over 90% are under the age of 45; almost half, under 15.**

Each returning family is to receive two hectares (about 5 acres) of land. About 70% of the refugees want to settle in four provinces, but much of the land available in these areas is mined. According to one study, land-mine explosions have already given Cambodia the highest percentage of physically disabled inhabitants of any country in the world.

- **A London-based nonprofit firm, the HALO (Hazardous Areas Life-support Organization) Trust conducted a three-month survey in Cambodia and estimated that there were at least 400,000 land-mines in four provinces alone. In January 1992, the Security Council approved an additional 1,100 personnel for a mine clearance programme as part of the UN Advance Mission in Cambodia.**

UNHCR faces the difficult job of helping reintegrate peasant returnees who have lost their links with the land they once cultivated. Many refugees have no "peasant memory". They have lost their agricultural survival skills during years of life in camps. Returnees will receive agricultural and household equipment. A separate UNTAC rehabilitation programme will help Cambodians rebuild their lives and their country.

Afghanistan: Since 1990, **300,000-500,000** refugees have voluntarily returned to Afghanistan, many with UNHCR assistance. An estimated **5 million** Afghan refugees remain in Iran and Pakistan. Recent political and military developments may result in a mass repatriation of unprecedented proportions, for which UNHCR and the UN system are preparing.

- **The *Geneva Accords* concluded between Afghanistan and Pakistan in 1988 included measures to permit the voluntary repatriation of Afghan refugees. Continued fighting in the country after the departure of Soviet troops in 1989 discouraged most refugees from returning home, however.**

The Coordinator of UN Assistance to Afghanistan cooperates with UNHCR to promote and facilitate voluntary repatriation of the refugees. UNHCR also works with the Governments of Iran and Pakistan, and with other UN system agencies such as the World Food Programme and UNICEF—as well as non-governmental organizations like the International Organization for Migration—to provide food rations, immunization and other services.

- **As in Angola, Cambodia and Somalia, much of Afghanistan is a vast minefield. No one knows how many land-mines there are. Estimates range from 2 million to 30 million. More than 2,000 people are employed in UN-supported de-mining activities and education in the country.**

Indo-china: Some 180,000 Indo-chinese refugees remain in camps in South-East Asia. They have little to look forward to but return to their home countries. UNHCR has been working with the Governments to determine if new arrivals should be considered refugees and resettled, and to smooth the way for those who wish to repatriate. Innovative agreements have reduced clandestine departures from Viet Nam, and provided the reassurance needed for many refugees to return home voluntarily.

- **Some 250,000 Vietnamese have been resettled through UNHCR's *Orderly Departure Programme* since 1989. Prospects are good for the voluntary return home of some 63,000 Lao refugees under agreements between UNHCR and the Governments involved.**

Central America: Progress towards peace in Central America means that tens of thousands of exiles—from El Salvador, Guatemala and Nicaragua—who have fled their homes since the late 1970s have begun to return home. Refugee populations in Costa Rica and Honduras have dropped significantly as efforts towards national reconciliation, particularly in El Salvador and Nicaragua, have taken hold. UN peace-making, peace-keeping, and refugee and development assistance have all helped improve the situation in the region.

In 1989 the number of uprooted Central Americans was estimated at over 2 million, one third of them internally displaced. A plan of action initially adopted that year by the **International Conference on Central American Refugees** linked programmes for refugees and the affected local populations with the region's economic and social development.

- **In Nicaragua, some 70,000 refugees have returned home. UNHCR assistance in helping some 53,000 Nicaraguan returnees (including former members of the Nicaraguan resistance) has been the largest Latin American repatriation project in its history. The influx is taxing the country's meagre resources, however. UNHCR and the UN Development Programme are helping Nicaragua's Government carry out projects that "bridge" the need for short-term relief and longer-term development. These "quick-impact projects", based on priorities chosen by communities, aim at stimulating economic recovery while addressing crucial needs.**

Crisis in the Persian Gulf Region

Immediately after Iraq's invasion of Kuwait, UNHCR indirectly supported a programme to repatriate over 700,000 third-country nationals who had left Iraq and Kuwait, and directly assisted a few thousand refugees and asylum-seekers for whom repatriation was not feasible. As part of the UN's Regional Humanitarian Plan of Action, launched on 11 January 1991, UNHCR anticipated helping some 400,000 refugees in countries bordering Iraq, and pre-positioned relief supplies in the area. These resources proved woefully inadequate for what has been called the fastest refugee movement in the 40-year history of UNHCR.

- **In five days during the first week of April 1991 the Iraqi refugee population in the Islamic Republic of Iran grew from 50,000 to 700,000; and in Turkey from 7,500 to 250,000 as a result of civil unrest and hostilities in Iraq. Before the end of that month some 1 million Iraqis had sought refuge in Iran, and 400,000 in Turkey. The UN revised its plan to assist**

1.5 million refugees in Iran and Iraq over three months. UNHCR increased its field staff in Iran and Turkey and has been coordinating relief efforts with Governments, NGOs and other UN agencies.

In northern Iraq, 1 million refugees returned from Iran or the Turkish border within weeks of the exodus. However, almost half of that number remained displaced inside Iraq.

- **The Secretary-General's *Executive Delegate for the UN Humanitarian Programme for Iraq, Kuwait, and the Iraq/Iran and Iraq/Turkey Border Areas* negotiated an agreement with Iraqi authorities governing UN humanitarian relief within the country. A contingent of *UN guards* was dispatched to act as "humanitarian witnesses" and security for the relief operation. Inhabitants of the region have recognized the presence of UNHCR, other UN agencies and the UN guards as a stabilizing influence in this tense and volatile situation.**

The Persian Gulf crisis demonstrated the need to strengthen the international community's machinery for responding to increasingly complex emergency situations. The crisis—and the Security Council's response—drove home a fundamental truth. Council resolution 688 (1991) created a historical precedent by finally acknowledging the link between human rights, refugees and international peace.

Towards better coordination

Nations jealously guard their sovereignty, but the legitimacy of international efforts to reduce human suffering in emergency situations is virtually undisputed. Relief operations are most effective when the UN system receives early warning and the cooperation of Governments. In December 1991 the General Assembly adopted by consensus a detailed resolution on strengthening UN coordination of humanitarian assistance. Among its provisions were:

- **a set of "guiding principles" for humanitarian assistance which stress respect for State sovereignty and the primary responsibility of States in responding to natural disasters and other emergencies in their territory;**

- **a call for States to cooperate with humanitarian efforts by the international community;**

- **endorsement of measures to enhance the Secretary-General's leadership, including designation of a high-level emergency relief coordinator with direct access to him;**

- **a call for the establishment of an emergency revolving fund of $50 million, financed by voluntary contributions, as a cash-flow mechanism to ensure a rapid and coordinated response to emergencies;**

In February 1992 Secretary-General Boutros-Ghali appointed the first *UN Emergency Relief Coordinator*, and at a meeting at UN Headquarters that month, States pledged almost $42 million to the emergency fund.

Frequent emergency situations involving massive numbers of refugees and displaced persons—in situations as different as those of 190,000 Myanmarese in Bangladesh, or almost 1.2 million refugees or displaced persons affected by the Yugoslav conflict—underscore the need for more efficient UN machinery to launch and manage international relief efforts.

- **In February 1992 Bangladesh accepted UNHCR's offer to assist refugees from Myanmar in that country, who numbered over 190,000 by April. UNHCR's immediate concern was the provision of shelters, which nearly half the refugees lacked. UNHCR, the World Food Programme and NGOs like *Médecins sans frontières*, OXFAM, Save the Children Fund (UK)—and local NGOs—are cooperating to provide water, food and health services. The newly-appointed UN Emergency Relief Coordinator visited the region in March to meet with the leaders of the two countries and act as a catalyst to promote a dialogue aimed at achieving the safe, voluntary return of the refugees to Myanmar.**

- **Escalating violence in Yugoslavia has created the first major refugee crisis in Europe in 41 years. On 1 May the High Commissioner appealed to foreign ministers of donor nations for immediate financial and in-kind support to the 1.2 million people forced from their homes by ethnic violence in Yugoslavia, noting that more than 400,000 had fled their homes in Bosnia-Hercegovina in the preceding month, and that more than half a million persons were displaced in Croatia alone. In March UNICEF, UNHCR and the World Health Organization (WHO) launched a joint appeal for their combined relief and protection operations in the area.**

The "pull" of development

In addition to explosive mines, returning refugees frequently face figurative land-mines on their return home: famine, drought, disease and often the near-total destruction of national infrastructure. The High Commissioner for Refugees has pointed out that ensuring the success of voluntary repatriation goes beyond the mandate or resources of UNHCR alone:

- **"...the prospects for voluntary repatriation are better today than ever before. Yet almost all the countries to which refugees will be returning...have been ravaged by war, burdened by the internally displaced, and have little or no capacity to reabsorb those who left and who are now ready to return. If the problem of displacement is not to be shifted simply from one side of the border to the other, then the reintegration of returning refugees must be given greater emphasis. A comprehensive programme of political, social and economic reconstruction is essential to sustain the fragile process of national reconciliation and democracy in these countries."**

UNHCR's mandate is global, except for Palestine refugees in the Middle East, who are the direct responsibility of UNRWA.

UNRWA and Palestine refugees: a special mandate

The fact that Israelis and Palestinians officially faced one another in 1991 across a negotiating table for the first time was welcomed by UNRWA's Commissioner-General as a "significant achievement". But UNRWA's task has not diminished in recent years. The Agency continues to offer humanitarian and social assistance to the 2.5 million registered Palestine refugees in the *West Bank, Gaza, Jordan, Lebanon* and *Syria*. It often operates in tense and difficult circumstances, particularly in the Israeli-occupied territory, where UNRWA also seeks to provide Palestine refugees a degree of protection. The Palestinian uprising in the Israeli-occupied territory which began in 1987—the *intifadah*—and Israel's response to it, have continued. Periods of relative quiet have been punctuated by violent confrontations and numerous casualties. Israeli security forces have continued to apply harsh measures, and reports of human rights violations have been widespread.

- **The number of Palestinians killed or injured in the *Intifadah* in the year ending in June 1991 was less than in the preceding year. But UNRWA reported that by 30 June 1991, 988 Palestinians had been killed and more than 70,000 injured since the uprising started in December 1987. Some 14,000 Palestinians had been arrested and detained, often without charge or trial. Among them were 64 UNRWA staff members.**

- **In addition to the heavy casualty toll resulting from clashes with the Israeli security forces was the continued killing of alleged collaborators amongst Palestinians: 124 were killed in Gaza and the West Bank in the year ending 30 June 1991.**

- **A major clash between Palestinians and Israeli security forces at Jerusalem's *Al-Aqsa* Mosque in October 1990 left at least 17 Palestinians dead and more than 150 wounded. As a result, the Security Council adopted a resolution which asked the Secretary-General to monitor the situation regarding Palestinian civilians under Israeli occupation**

and to keep the Council regularly informed. UNRWA has been asked to provide the Secretary-General with the required information.

Iraq's invasion of Kuwait affected UNRWA in a number of ways:

- **The Agency joined in the effort to help the hundreds of thousands of evacuees who fled into Jordan by providing some refugees with food rations, fielding emergency health teams and supplying logistical support to other relief agencies. Many of the 250,000 who entered Jordan later with Jordanian passports were registered Palestine refugees. UNRWA schools have absorbed about 7,000 additional children from this group.**

- **After the outbreak of hostilities in January 1991, UNRWA took emergency measures to alleviate the suffering caused by a long curfew imposed by the Israeli authorities on Palestinians in the West Bank and Gaza Strip. It distributed food to the entire refugee population and to needy non-refugees. In the war's aftermath, UNRWA expanded the scope and volume of its income-generating activities in an attempt to address the negative impact of the curfew and loss of earnings and remittances from the Persian Gulf region.**

Origins

UNRWA was created in response to the Arab-Israeli conflict in 1948. The General Assembly established UNRWA in 1949 as a *temporary, non-political agency* to provide services to some 750,000 Palestinians who had lost their homes and means of livelihood as a result of the war. UNRWA's assistance has since been extended to the descendants of the 1948 refugees who remain in the area and, as far as practicable, to those affected by the 1967 and subsequent hostilities.

- **In 1948, before establishing UNRWA, the General Assembly recommended terms for resolving the Palestine refugee problem. Refugees wishing to return to their homes should be permitted to do so while those choosing not to return should be compensated for their losses. This decision has never been implemented because the UN Conciliation Commission for Palestine has not been able to obtain the agreement of the Arab States and Israel. The Assembly has periodically extended the Agency's mandate, without prejudice to the rights of the refugees to repatriation or compensation.**

Fewer than one third of those registered with UNRWA live in the 61 camps scattered in the Middle East. The Agency's education system covers some 365,000 refugee children, while the health programme is available to almost all refugees through a network of 100 health centres.

Apart from its core programme, UNRWA provides relief and social services to meet special needs. It has provided emergency assistance to Palestinians in Lebanon affected by inter-factional fighting and Israeli military actions.

- **UNRWA assistance is funded by voluntary contributions from Governments. Its projected expenditures for 1992 and 1993 are estimated at $570 million. In addition the Agency has budgeted some $14 million for emergency operations in Lebanon, the West Bank and the Gaza Strip in 1992. It also has a longer-term plan for an expanded programme of assistance worth $65 million to improve living conditions in the occupied territory.**

A GLOBAL LIFE PRESERVER: THE LAW OF THE SEA

". . . the most significant initial action that nations can take in the interests of the oceans' threatened life-support system is to ratify the Law of the Sea Convention."

Report of the World Commission on Environment and Development, "Our Common Future"

In June 1974, representatives of 164 countries gathered in Caracas, Venezuela, for the first substantive session of the **Third United Nations Conference on the Law of the Sea**. They represented countries from all regions, all legal and political systems, at all levels of development. All came with something important they wanted to settle or change. The Conference culminated in the signing, in December 1982, of the **United Nations Convention on the Law of the Sea**.

The Third UN Law of the Sea Conference was unique. Here was a process of negotiation —crucial to humanity's future—not dominated by super Powers nor divided into rigid camps. Conference President Tommy Koh, of Singapore, has commented:

- **"We succeeded because we did not regard our counterparts in the negotiations as the enemies to be conquered. We considered the issues under dispute as the common obstacles to be overcome. We worked not only to promote our individual national interests but also in pursuit of our common dream of writing a constitution for the oceans."**

The Convention deals with all aspects of the use of the sea and its resources. It has been called the most far-reaching agreement on the peacetime conduct of nations ever attempted—a monumental achievement, second only to the UN Charter.

- **The Convention's 320 articles and nine annexes provide the first universal legal framework for rationally managing marine resources, and conserving them for future generations.**

- **An unprecedented 119 States signed the Convention on the first day it was opened for signature, a demonstration of overwhelming support.**

Resources, rights and responsibilities

The Convention defines the rights and obligations of States in relation to virtually every use of the sea: *navigation*; *fishing*; *mineral development*; *marine environmental protection*; *right of access of land-locked countries to and from the sea*; *transport of hazardous wastes*; *liability for deliberate damage* to the marine environment; and *scientific investigation* of the oceans. Unique among international treaties, the Convention provides for *compulsory binding settlement of disputes* between countries.

The Convention is not yet in force, (it has 51 of the 60 ratifications needed) but it influences countries' policies and actions. Most new or amended national legislation conforms with its provisions, as do new international agreements. But until it comes into force, and until all countries abide by its provisions, the future environmental and economic health of the oceans is in question.

Forces for change

New technology and the hunger for resources have been the main driving forces behind development of the law of the sea. Legal principles, comparatively stable for 300 years, have come under increasing pressure.

- **For roughly three centuries, the oceans were governed by a simple law, the freedom of the seas. Coastal State jurisdiction was traditionally limited to only a narrow belt of water along the coast for the sake of national security: three miles—the firing range of a good cannon.**

Countries and firms have extended their reach to exploit resources farther and farther from coastlines. The oceans—and the ocean floor—are being exploited as never before. Mineral resources have joined fish and other living marine resources as significant contributors to the wealth of nations.

- **Exploitation of some marine minerals is more than just theory. Tin mining off the coasts of Indonesia and Thailand, gold extraction from alluvial deposits off Alaska, and diamond gathering off the coast of Namibia are all commercially viable enterprises. Offshore oil exploration has steadily moved farther out to sea, deeper into the bedrock of continental margins. Deep seabed mining for potato-shaped manganese nodules has attracted considerable interest and investment, although commercial exploitation remains far off.**

Creeping jurisdiction and "cod wars"...

In 1945, the United States initiated the idea of *continental shelf jurisdiction*, asserting a coastal State's sovereign right to explore and exploit resources of the sea-bed beyond its territorial waters. This sparked one of international law's greatest revolutions.

- **The Geneva *Convention on the Continental Shelf*, adopted at a 1958 UN conference, laid down what came to be generally recognized principles governing jurisdiction over the continental shelf. However, one criterion for determining the limits of national jurisdiction over the continental shelf was elastic enough to lead to *creeping jurisdiction*. States gradually extended their control into what were previously considered the high seas.**

In the late 1950s and early 1960s, developing countries sought to protect from foreign exploitation the resources in sea areas adjacent to them. Several Latin American States established broad zones up to 200 nautical miles wide, asserting control over the exploitation of resources on the seabed and in the waters far beyond their territorial seas. Other countries soon adopted similar policies, broadening the concept of national sovereignty over the seas. Tensions grew as countries grappled for control over what they saw as their fair share of marine resources.

- **In the early 1970s, Iceland's extension of its national fishing zone prompted the Federal Republic of Germany and the United Kingdom to institute proceedings against it in the International Court of Justice (ICJ). The dispute over fishing rights had resulted in clashes between British Navy frigates dispatched to protect British fishing trawlers, and Icelandic Coast Guard gunboats. This so-called "cod war" was eventually settled through a judgment by ICJ and bilateral talks, but it dramatically illustrated the increased competition for ocean resources.**

...or an orderly global system?

The UN Convention on the Law of the Sea includes provisions for resolving disputes and suggests new approaches for negotiating international agreements. It provides a framework for managing ocean resources and establishes the sovereign rights—and responsibilities—of coastal States. It divides ocean space into clearly-defined areas:

A Territorial Sea extending up to 12 nautical miles, over which the coastal State has full sovereignty.

- **The rights and duties of States within the territorial sea are very similar to their powers over their land territory, including that of law enforcement, but vessels of other nations retain the right to "innocent passage" through these waters.**

The Contiguous Zone may extend up to 12 nautical miles beyond the territorial sea (24 miles from the coast or the baselines from which the territorial sea is measured).

- **The coastal State's national sovereignty does not exceed the limits of its territorial sea. A coast guard may, however, patrol the contiguous zone to prevent violations of national laws and exercise police powers, such as pursuit and arrest of suspected drug smugglers, illegal immigrants and customs or tax evaders.**

The Exclusive Economic Zone (EEZ) extends up to 200 nautical miles from the base lines. The EEZ concept has revolutionized marine affairs.

- **The coastal State has the right to exploit, develop, manage and conserve all resources found in the waters, ocean floor and subsoils of its EEZ. It has jurisdiction over marine scientific research, installations and artificial islands, and has rights and responsibilities regarding protection of the marine environment. However, it does not have *sovereignty* over this space, in which other States enjoy many of the high-seas freedoms (freedom of navigation, overflight and the laying of cables and pipelines).**

- **Ninety-two coastal States have claimed economic jurisdiction to the 200-mile limit. Over 90% of the world's fisheries now fall under some nation's jurisdiction. Approximately 87% of all known and estimated hydrocarbon reserves under the sea will fall under some national jurisdiction, along with almost all known and potential mineral reserves, except for manganese nodules and sulphide deposits on the deep ocean floor.**

The Continental Shelf may extend far beyond the limits of the EEZ, out to 350 nautical miles or even further, in accordance with a complex formula.

- **Where the continental shelf extends beyond a coastal State's 200-mile EEZ, a country has the exclusive right to exploit the resources of the *shelf* beyond the 200 miles, but not those of the *waters* above it. The legal status of the waters and the airspace above the continental shelf are unaffected.**

Archipelagic Waters fall under the sovereignty of *archipelagic States*, which now have the right to draw baselines around the outermost edges or fringes of their outermost island.

- **Archipelagic States are groups of islands which historically form one nation but which, in many cases, have been separated by what were previously considered the high seas. Waters within these baselines are now treated like their national territory—a new feature in international law. These countries may also claim a territorial sea, an EEZ and a**

continental shelf. Vast ocean spaces now fall under national jurisdiction of archipelagic States—including some 40% of the Pacific.

- Although archipelagic States have sovereignty over their archipelagic waters, ships of all countries retain the right of free passage through them. The archipelagic State may designate sea lanes through which all ships may pass, as well as air routes for overflight. The importance of this provision is evident: a Japanese tanker going to pick up oil from a State in the Persian Gulf, for instance, would have to make a 3,000-mile detour if a route were not available through Indonesian waters. Much Japanese shipping passes through archipelagic States.

Watery global commons

The classic doctrine of **freedom of the high seas** continues under the Convention, with some modifications. No country can claim sovereignty over these waters; all have the rights of navigation, of overflight and of laying cables and pipelines on the ocean floor. All are free to fish the high seas in accordance with agreed conservation measures. One new obligation is that States cooperate to suppress illicit drug traffic by ships on the high seas, as they do with piracy and slavery.

One of the Convention's most innovative features is the creation of a comprehensive regime governing the **deep seabed area**: the ocean floor and subsoil beyond the limits of national jurisdiction (**the Area**). The Area and its resources have been declared *"the common heritage of mankind"*.

- An *International Seabed Authority*, headquartered in Jamaica, is to supervise all exploration for, and exploitation of, resources in the Area. The Authority's operational arm, the *Enterprise*, is to undertake mining operations and enter into contracts with private and Government ventures to extract minerals found on the sea floor.

- A document adopted by the Law of the Sea Conference entitles States and private companies which have invested in seabed mining to register as *pioneer investors*. The Preparatory Commission established by the Conference receives applications from such countries—for themselves or for qualified companies—and allocates a *pioneer area* to an investor, not exceeding 150,000 square kilometres (about 58,000 square miles). Only countries that have signed the Convention can submit such applications. To date the Preparatory Commission has granted pioneer status to China, France, India, Japan, the former Soviet Union and a group of formerly socialist States.

It is ironic that seabed mining in the Area—the most remote aspect of the treaty—has turned out to be the single issue blocking universal acceptance of the Convention.

- **During the 1970s, speculation over deep-seabed mining led companies urgently to prepare plans for dredging up millions of tons of manganese nodules, particularly from the Pacific Ocean floor. Lawyers and economists argued for years over formulas to limit extraction of seabed minerals so that land-based producers would not be undercut. Those concerns have sunk below the horizon. Nobody predicts a start to commercially viable seabed mining within the next 20 years. States have ample time to reconcile their differences on this issue.**

Pollution: minimizing damages

The Law of the Sea Convention commits States parties to strengthening their own national laws and regulations—and to cooperating with international efforts—to curb marine pollution. Specific provisions aim at controlling and reducing pollution from *land-based sources*, from *vessels* and from *dumping*, as well as pollution *transmitted through the atmosphere* or *created by oil exploration and seabed mining*. *Monitoring and reporting* on the health of the oceans is an important objective of the Convention, in which Governments play an important role.

- **Preservation of the marine environment places special responsibilities on States involved in international shipping. *Flag States* are responsible for the actions of ships flying their flags, and for ensuring that their captains and crews are adequately trained to comply with laws and regulations growing out of the Convention, such as provisions concerning the dumping of garbage or washing tanks at sea. *Coastal States* have the right to detain ships that violate the law in their waters. *Port States* have the right to detain in their harbours ships charged with polluting seas anywhere—a new concept under the Convention.**

Coastal States' EEZs total some 38 million square nautical miles. Their national scientific institutions and environmental ministries are faced with enormous responsibilities. Many countries need help in developing institutions, obtaining technology and training personnel. Agencies and programmes of the UN system, such as the *Food and Agriculture Organization of the UN*, *the UN Educational Scientific and Cultural Organization (UNESCO)*, the *International Maritime Organization* and *UN Environment Programme (UNEP)*, help enhance countries' capacities in fields ranging from shipping to fisheries management, from data collection to pollution monitoring. They also support negotiations to devise agreements for strengthening international cooperation in their fields.

Fisheries: maximizing benefits

Analyses of the harvests of the world's commercial fisheries indicate that the overall vitality of the sea has dramatically decreased over the past three decades. Many commercial stocks, and the size of fish and crustaceans, have decreased—alarming signs. Present levels of pollution and overfishing cannot alone account for these trends. The damage already done in all oceans to coastal habitats and to marine life is most likely due to the combination of pollution and illegal or careless fishing methods, and such factors as intensive human settlement in coastal areas; growing landfills; drying out of marshes and wetlands; diversion of rivers; and uncontrolled coastal development.

Attempts to manage the world's fisheries for the greatest benefit to the greatest number of people must take into account wide differences in States' levels of development. Modern fishing runs the gamut from artisanal fishermen plying the sea in small boats to armadas of factory fishing vessels that stay at sea far from their native shores for months at a time. Fishing is an important source of employment and nutrition for developing and industrialized countries alike. The Convention aims at rational management of the living resources of the oceans by coastal States and major fishing Powers.

- **The Convention encourages optimum use of fish stocks without risking depletion through overfishing. Coastal States are to determine the total allowable catch for each fish species within their EEZs, taking into account the best scientific evidence available. They must give access to the surplus of their allowable catch to others, particularly neighbouring States and land-locked countries, subject to coastal State regulations drawn up in accordance with the Convention.**

Science-based fishery management, mandated by the Convention, marks the transition from a "hunting and gathering" approach to a system of cultivation and husbandry. Development of fishery resources demands far-sighted policy, a coordinated strategy and good planning.

- **Traditional "capture" fishing will continue to supply most of the world's demand for fish, but aquaculture is expected to increase in importance. FAO estimates that annual output from aquaculture could rise from the present 12% of total world fish production to more than 20% by the turn of the century. Aquaculture resembles agriculture more than traditional fisheries. "Quality control" of aquacultural products enhances their value, which is estimated at more than one third of the total value of the world fish catch.**

- **Under a UN Development Programme (UNDP)/FAO global development project supported by Norway, an ocean-going research vessel, the *Dr. Fridtjof Nansen*, is made available to developing countries to survey stocks off their coasts. The *Nansen* has surveyed key marine areas: along Africa's east and west coasts, in the Arabian and**

South China Seas and, for the first time, in the Pacific Ocean's waters off Central America and Colombia, as well as along South America's east coast from Colombia to Suriname. Another joint UNDP/FAO effort helps developing countries obtain research vessels for regionally assessing and managing fisheries, thereby strengthening technical cooperation among developing countries.

Overexploitation of living marine resources straddling the high seas and an EEZ in one region can have a negative impact on resources in another. The Convention obliges members of the international community to cooperate in conserving and managing the living resources of the high seas. It requires the States concerned to seek agreement on measures needed to conserve stocks in adjacent areas. Similar rules apply for highly migratory species, like tuna. Broad agreement has been reached that some techniques, such as *driftnet fishing*, must be curtailed and eventually prohibited.

- **Large-scale pelagic driftnet fishing sweeps vast areas of open sea with nylon monofilament nets. They have been termed "walls of death", forming a curtain that stretches as much as 35 miles and as deep as 30 feet. It is impossible to "target" a driftnet on one species. It indiscriminately traps virtually all but the smallest living creatures that swim or fly into it. Dolphins, seabirds and other creatures are injured or killed when entangled in nets in active use, or in lost or discarded nets. Until recently, more than 1,000 fishing vessels were using large-scale pelagic driftnets.**

In December 1991 the General Assembly called on all countries to cut in half their use of large-scale pelagic driftnets on the high seas by the end of June 1992, and to observe a global moratorium on their use by the end of 1992.

National enforcement and regional cooperation: two means to the same end

The Convention's overall effectiveness ultimately rests on two pillars: its universal acceptance by States, and their ability to enforce its provisions. The burden of enforcement rests largely with coastal States.

- **The waters off the coast of west Africa were long an uncontrollable "free-for-all" for unlicensed foreign fishermen. In January 1991, the Sierra Leone Government established its Maritime Protection Services, a joint venture with a British firm. In March, a patrol boat detained a French trawler operating without a licence. Its captain faced possible prosecution and confiscation of his boat, gear and catch, said to be more than $600,000 worth of tuna. The new patrol operation was expected to earn the Sierra Leone Government $10 million in fees and royalties in 1991, compared to the $250 million**

worth of fish illegally exported in 1990, from which the Government received no revenue. Since the programme began, the number of fishing vessels illegally working the area has declined sharply.

Regional cooperation offers a non-confrontational approach to managing marine resources. The Convention makes protection of the marine environment a regional as much as national responsibility. What happens when boats from a major fishing Power descend on the fishing grounds of a small island country? The 1987 Fisheries Treaty concluded between the 16 member Governments of the *South Pacific Forum Fisheries Agency (FFA)* and the United States dramatically demonstrates the potential for regional cooperation and fisheries development.

- **United States fishing vessels were catching large quantities of tuna in the region under the high-seas regime of freedom to fish. Until 1990, the United States had a policy not to recognize the sovereign right of coastal States over highly migratory fish in their EEZs. Dramatic incidents followed, such as the seizure of American fishing boats by South Pacific surveillance forces.**

- **Despite their diverse interests and backgrounds, for three years the FFA countries negotiated as a group with the United States Government. The resulting treaty entitled 35 United States- registered vessels to fish for tuna in Pacific EEZs for an initial period of five years. In exchange, the FFA countries would receive a licence fee of $60 million, to be divided among them.**

The FFA Treaty specifically recognizes that Pacific island countries depend heavily on fisheries and that overfishing must be prevented. Strong management provisions call for fishing vessels to take aboard trained observers from FFA countries who make sure that the regional States' rights and interests are protected. The United States Government accepts ultimate responsibility for ensuring that the United States fishing industry abides by the Treaty.

- **UNEP's *Regional Seas Programme* includes 12 regional plans that cover a large portion of the world's oceans and provide regional frameworks for addressing each area's problems.**

Learning the hard way

Devastating accidents can spur international cooperation.

- **In January 1990 an Iranian supertanker, the *Kharg-5*, began leaking crude oil 100 miles off Morocco's coast after an explosion. Abandoned by its crew, it drifted towards the**

coast, spreading a 100-mile (160 kilometres) oil slick. More than two weeks went by before it was towed away for repairs. By then 70,000 tons of crude had leaked into the sea, twice the amount of the *Exxon Valdez* spill off Alaska.

- **Within a year of the accident, environment ministers of France, Morocco, Portugal and Spain, and a representative of the European Community, signed a new convention to protect their countries' coasts from pollution disasters in the North-East Atlantic. The treaty reflects articles of the Law of the Sea Convention, providing for rapid information exchange and for reimbursement of expenditures where any State party assists another.**

Dispute settlement: reconciling differences

The Law of the Sea Convention provides built-in machinery for resolving differences over its application. Provisions for settling disputes over international treaty obligations are often separate from the body of an agreement, particularly where compulsory binding procedures are involved. Treaty parties can accept them or not, as they please. In what is regarded as a milestone in international law, the Convention provides—should direct talks fail—four options for third-party settlement to which the parties are committed in advance to respect:

- **adjudication by the International Court of Justice;**
- **binding international arbitration;**
- **special arbitration tribunals with expertise in specific types of disputes (such as those relating to fisheries, pollution, navigation, or scientific research);**
- **adjudication by the *International Tribunal for the Law of the Sea*, to be established under the Convention. (Disputes over seabed activities will be arbitrated by an 11-member *Seabed Disputes Chamber*, to be set up by the Tribunal.)**

A country may, however, declare at any time that it chooses not to be bound by mandatory procedures if they involve boundary disputes, military activities or issues under consideration by the UN Security Council.

The principles and provisions of the Convention are already having an effect on disputes between countries over marine resources and maritime boundaries:

- **The *Gulf of Maine* case between Canada and the United States was the first time a maritime boundary was drawn for "all uses", and the first judicial delimitation of the 200-**

mile exclusive fishery zone since this concept was accepted, together with that of the EEZ, in international law. A five-person chamber of the *International Court of Justice* set out the terms for settling the dispute over 30,000 square nautical miles of rich fisheries in the Gulf of Maine area—which fell within the 200-mile zones of both countries' coasts.

Greater than the sum of its parts

A growing world population places increasing demands on our planet's natural resources. A policy of ecologically sound, intersectoral ocean management is indispensable. Nations must work together to reconcile ecology, economy and technology. The Law of the Sea Convention knits together the principles needed to guide such collaboration, linking international efforts and scientific disciplines under the rule of law.

The Convention treats the problems of ocean space as closely interrelated. It is a "package deal", codifying the interrelationship of all maritime activities. This "quiet revolution" in international law is already being felt at the national level where Governments, industry and the public are beginning to see the necessity of coordinating all activities that have an impact on the marine environment.

JOINING FORCES FOR DRUG CONTROL

UNITED NATIONS

"The world today faces an efficiently administered multinational company with its own marketing strategy and distribution networks (wholesale and retail)—a veritable multi-billion-dollar industry with vast profit margins. I consider the involvement of organized crime in the illicit drug trade as one of the greatest threats to the stability and well-being of the international community."

Giorgio Giacomelli, Executive Director, UN International Drug Control Programme (UNDCP)

Drug abuse is a kind of transnational pollution. It crosses borders freely, and affects the lives of all those it touches, especially those too weak to fight it. But unlike most forms of environmental pollution, drug abuse poisons intentionally. Like environmental problems, drug abuse and illicit trafficking are too widespread and complex to be handled by any single country. The Executive Director of the **UN International Drug Control Programme (UNDCP)** has commented: "*More effective international drug control has been identified as one of the top priorities for the United Nations in the years ahead. Member States have specifically entrusted the United Nations with a central role in this vital task.*"

Organized crime has gained strength as an international enterprise, where previously its activities were confined largely within national boundaries. Its financial power is awesome—enough to distort the economies of some countries, particularly in Latin America's Andean region. Traffickers can compromise people and institutions and undermine Governments. An effective strategy is needed to counter this threat—an approach combining drug abuse prevention and education, treatment and rehabilitation of addicts and law enforcement and supply control. All levels of the community—local, national and international—must be involved.

No region is spared

The report of the **International Narcotics Control Board (INCB)** for 1991 indicates that cocaine trafficking and abuse have spread to new areas of the world, including Africa and Asia. Drug traffickers are also shifting their operations to countries and regions where control is loose or enforcement is insufficient. Just a few examples:

- **In *Africa*, several attempts at opium poppy cultivation have been identified. Trafficking and abuse in heroin and cocaine continue to expand.**

- **Trafficking from *Myanmar*, the major illicit opium producer, has caused widespread opiate abuse along new routes, especially in *China*.**

- **There has been a significant shift of transit heroin trafficking away from *India* towards *Eastern Europe* as a result of political changes in that region and stringent legislation enacted by India.**

- **In the *Near and Middle East*, abuse of opiates and cannabis appears to have increased. Control problems are compounded by large numbers of refugees in some parts of the region.**

- **Cocaine seizures in *Europe* more than doubled in 1990, but data indicate a stabilization or decline in heroin and cannabis abuse. Nevertheless, drug-related deaths continue to increase in most European countries.**

- **In the *United States*, the number of cocaine abusers has declined about 70% since 1985, according to a 1990 survey. However, the number of *crack* abusers has remained unchanged at about half a million, and drug-related crime continues to be a serious problem.**

- **Several *South American* countries strengthened their cooperation by ratifying bilateral and multilateral law enforcement agreements and also by developing strategies to replace the coca economy with a healthy formal economy. Although attacks by *Bolivia* and *Colombia* on trafficking organizations have achieved impressive results, traffickers have become more flexible and innovative.**

The response

What are the answers to the surge in drug abuse and illicit trafficking? *Attack demand and supply of illicit drugs simultaneously; increase international cooperation to make life tougher for drug traffickers; strengthen enforcement measures; and provide alternatives for those trapped in the drug trade's vicious circle.* UN efforts to support these responses are concentrated in three bodies:

The UN Commission on Narcotic Drugs was established in 1946 to continue work begun by the League of Nations in setting international drug control policy. The Commission, consisting of

representatives from 53 Member States, is the central policy-making body within the UN system concerning drug abuse control.

The International Narcotics Control Board, an international group of experts appointed by the Economic and Social Council, supervises the international drug control treaty system.

The UN International Drug Control Programme, established in 1991, consolidated the functions of three former UN drug units *(the Division of Narcotic Drugs, the secretariat of the International Narcotics Control Board and the UN Fund for Drug Abuse Control)*. Among its many responsibilities, UNDCP:

- **advises Governments on how to bring national drug control legislation into line with international agreements;**
- **organizes regional meetings for the heads of national drug enforcement agencies to promote the exchange of information and experience;**
- **organizes training for national law enforcement officers, laboratory personnel and customs officials responsible for drug control laws and regulations;**
- **assists countries and regions in planning and financing a variety of programmes aimed at strengthening enforcement of drug controls, reducing demand, providing economic alternatives to drug-crop production and rehabilitating drug abusers.**

Attacking demand and supply

Under UN auspices, traditional producer and consumer countries have recognized that both illicit drug supply and demand must be reduced.

Governments, with the help of non-Governmental organizations (NGOs), have devised a plan for tackling drug abuse and illicit trafficking at home and in cooperation with other countries. In 1987 the UN convened the **International Conference against Drug Abuse and Illicit Trafficking** to promote international cooperation to address the drug problem. The Conference unanimously endorsed a 35-point "*comprehensive multidisciplinary outline*" for action to be taken on all aspects of drug abuse and illicit trafficking. The Outline contains chapters on preventing and reducing demand, controlling supply, suppressing illicit trafficking, and treating and rehabilitating drug abusers.

Building on the results of the 1987 Conference, the General Assembly met in special session in February 1990 to look at ways to combat the epidemic of violence, corruption and human misery

caused by illicit drugs. The special session's closing *Political Declaration* and *Global Programme of Action* captured the spirit of cooperation at the meeting and were complemented by a decision to declare the period *1991-2000 as the UN Decade against Drug Abuse*. Some highlights of the session:

- **The *World Health Organization (WHO)* was asked to develop training materials on rational prescription and use of licit drugs for health personnel and to develop education programmes on the relationship between AIDS and drug abuse.**

- **The *UN Environment Programme* was asked to investigate the environmental effects of illicit drug crop production and the disposal of chemicals used in processing narcotic drugs.**

- **Law enforcement cooperation was to be strengthened by reinforcing links between the UN, the *Customs Cooperation Council* and the *International Criminal Police Organization.***

Providing alternatives

The UN International Drug Control Programme helps Governments by financing drug control projects based on national or regional "master plans". The largest portion of UNDCP's 1991 budget concentrates on reducing illicit supply by improving rural living conditions and supporting crop substitution where illicit coca, cannabis and opium cultivation is widespread. Like Governments and NGOs, UNDCP is also expanding its activities aimed at changing attitudes towards drug-taking to curb illicit demand. Some current examples:

- **In 1991, UNDCP helped complete a project in Ecuador which improved record-keeping of the demand for narcotic and psychotropic drugs and precursor chemicals used in drug production. Besides tightening controls over these substances, the project provided training in investigative methods to local officials.**

- **UNDCP financed special courses by the *International Council on Alcohol and Addictions* to upgrade the demand-reduction qualifications of doctors, nurses, educators and health and social workers in 24 countries.**

- **To reduce the supply of illicit drugs in Bolivia, Colombia and Peru in 1991, UNDCP helped peasant farming communities develop viable alternatives to coca production. Credits, technical assistance and managerial know-how were provided, along with health care, education, clean water systems and other activities to improve the quality of life.**

In southern Cauca, Colombia, where such a project had been operating since 1985, the rate of coca eradication had reached 85%.

- **To cover the border regions most affected by Balkan route drug trafficking in 1992, UNDCP will assist the Government of Czechoslovakia in establishing four mobile customs control teams. Vehicles, drug detection gear, radio communications equipment and a highly sophisticated mobile X-ray unit will be provided.**

In 1992, UNDCP's budget for activities like these—$82 million—covers 125 projects in some 63 countries. Aside from crop substitution, law enforcement and treatment and rehabilitation, programmes are undertaken in prevention and legislative and institutional reform. Voluntary contributions represented approximately 93% of all resources available to UNDCP (about $100 million). More funds will be needed in coming years.

The international treaty system

The UN has developed an international treaty system that regulates the production and trade of specific drugs, building on efforts which began in the early part of the century.

- **The *1961 Single Convention on Narcotic Drugs* consolidated earlier narcotics control agreements and simplified the international control machinery. The Convention lists substances for control and requires States Parties to designate as punishable offences all intentional violations of its control provisions regarding cultivation, production, manufacture, trade and distribution of narcotic drugs.**

- **A *1972 Protocol to the Single Convention* updated its provisions and highlights the need for treatment and rehabilitation of addicts.**

- **The *1971 Convention on Psychotropic Substances* addressed the problem of abuse of substances not covered under the 1961 Convention. In the case of highly dangerous hallucinogens such as LSD, the 1971 Convention sets up a system of control which is more severe than that for narcotic drugs.**

The UN is responsible for keeping an eye on the international drug control system. **INCB** gathers information on the international trade—legitimate and illegal—in substances regulated by the 1961 and 1971 Conventions. It draws Governments' attention to gaps and weaknesses in national controls and treaty compliance, and recommends improvements. The Board's annual report, its technical reports on world requirements for narcotics, and its statistics on the manufacture and trade of controlled substances are required reading for national drug enforcement authorities everywhere.

WHO has special responsibilities for analysing substances and their use and making recommendations to the **Commission on Narcotic Drugs** regarding international controls.

International cooperation contributes to success. Diversions of narcotics covered by the 1961 Convention from legal trade into illicit channels are relatively rare and the quantities involved are minimal in comparison with the large volume of transactions. The control system established by the 1971 Convention on Psychotropic Substances also operates well. In 1991, action taken by Governments and their close cooperation with INCB prevented the diversion into illicit channels of more than 13 tons of psychotropic substances. Diversions are now almost always prevented, although attempts continue.

Strengthening enforcement measures

Governments have a new weapon to use in the fight against drug traffickers: the **1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances**. The adoption of the Convention by consensus at a conference convened by the UN in late 1988 and its entry into force in November 1990 represent a major political breakthrough. While earlier instruments focus on control of specific substances, the 1988 Convention targets the proceeds and techniques of drug trafficking. It seeks to hit drug traffickers where it hurts them most: in their pockets and in their freedom of movement. Fifty-nine countries and one regional economic organization have become parties to the Convention.

Under the 1988 Convention, States agree to modify their national laws to make it easier to seize proceeds from illicit drug trafficking. The Convention's provisions:

- **permit courts to unveil bank secrecy during drug-related investigations;**
- **facilitate extradition and prosecution of accused drug traffickers and promote mutual legal assistance between Governments in drug cases;**
- **facilitate use of "*controlled delivery*"—the tracking and interception of illicit drug shipments;**
- **improve cooperation with transit States and prevent illicit delivery through the mails;**
- **define the responsibilities of commercial airlines and shipping firms;**
- **bind Governments to eradicate illegal cultivation of narcotic plants;**

- **establish, for the first time, a system to monitor international trade in "*precursors*"—substances frequently used in illicit processing.**

Many Governments are now in the process of changing their laws to prevent money laundering by drug traffickers and to permit confiscation of their assets. National enforcement agencies are intensifying their cooperation with their counterparts in other countries to disrupt drug trafficking operations.

Other UN system bodies and drug control

In addition to the drug-related bodies of the UN itself, several parts of the UN system deal with aspects of the drug problem in their specialized fields.

- **WHO works closely with the Commission on Narcotic Drugs and the INCB, and provides training and technical manuals for health care professionals in a wide range of drug-related fields: the rational use of psychoactive substances; the treatment of drug abusers and the prevention and treatment of AIDS among drug abusers.**

- **The *International Labour Organisation*, the *International Civil Aviation Organization* and the *International Maritime Organization* formulate recommendations for combating drug abuse and illicit trafficking in the workplace, in the air and on the seas.**

- **The *Food and Agriculture Organization of the UN* and the *UN Development Programme* work closely with UNDCP in carrying out rural development and crop-substitution projects.**

- **The *Crime Prevention and Criminal Justice Branch of the UN Secretariat* is now preparing for the *Ninth Congress on the Prevention of Crime and the Treatment of Offenders* to be held in 1995. How to deal with drug-related crime and offenders will be among the topics senior law enforcement and criminal justice officials will consider. The *Eighth Crime Congress*, held in 1990, adopted a model treaty on extradition, guidelines on the role of prosecutors and basic principles on the role of lawyers.**

A word about "*decriminalization*"

Opinions have recently been voiced calling for legalizing the possession and use of some drugs for recreational or non-medical purposes as a way to eliminate the illegal market for drugs and reduce crime. Acknowledging the debate on drug legalization, INCB commented in its 1991 report: "*such an approach would undoubtedly be interpreted by potential abusers as sanctioning drug use and can*

be expected to lead to exploding abuse, attended by an increase in drug-related deaths, soaring health care costs, the destruction of families and the erosion of basic values".

The following questions need to be asked:

- **What drugs would be legalized?**
- **What age limit would be set for the purchase of legalized drugs?**
- **How would prices be established and at what levels?**
- **Who would pay for the increased health and welfare costs that would result from the expanded availability of dangerous and addictive drugs?**

The answer to the dilemma of illicit drugs is not simple or easy; there are no "magic bullets". But significant progress can be made if there is a determined commitment to a comprehensive and coordinated international response.

ENDNOTES

1/ John Lukacs, "The Short Century - It's Over", New York Times Op-Ed article, 17 February 1991.

2/ Judges participating in the proceedings included the 15 elected by the General Assembly and the Security Council, plus an ad hoc judge nominated by Libya in accordance with Article 31 of the ICJ Statute.

3/ Odo Marqvard, cited by Hans Magnus Enzensberger. The State of Europe, *Granta 30*, Winter 1990.

4/ Enforcement action under Chapter VII of the Charter should not be confused with peace-keeping. To date the Security Council has authorized the use of force on only two occasions: in Korea in 1950, when it recommended that Member States assist the Republic of Korea to repel the attack of North Korea; and in 1990, in the conflict between Iraq and Kuwait. (see p. 6 of "Notes for Speakers - 1992").

5/ Of twelve current UN peace-keeping operations, two are funded from the UN regular budget (UNTSO and UNMOGIP), one is funded through voluntary contributions (UNFICYP) and nine are financed from their own separate accounts on the basis of legally binding assessments on all UN Member States. Since the mandates of most forces are renewed periodically starting from different dates, annual cost estimates for comparative purposes are approximate. Costs are rough annualized costs to the UN, except where otherwise noted. Mission strengths are current as at April 1992, except where otherwise indicated.

6/ Oscar Arias Sánchez, "Third World interests in the new era of East-West relations", Olaf Palme Memorial Lecture, in SIPRI Yearbook 1991: World Armaments and Disarmament, (New York: Oxford University Press, 1991).

7/ Bernard Brodie, "Theories on the Causes of War", in War and the Human Race, ed. by Maurice N. Walsh, (Amsterdam: Elsevier Publishing Company, 1971).

8/ The Impact of the A-Bomb, Tokyo, Iwanamu Shoten Publishers, 1985, pp. 22, 25, 47-48, as quoted in Comprehensive study on nuclear weapons: Report of the Secretary-General, UN Doc. A/45/373, p.80.

9/ Toshikazu Kase, Eclipse of the Rising Sun, London, 1951; quoted in Total War, Peter Calvocoressi and Guy Wint, London, Penguin, 1972.

10/ Quoted by Cheryl Payer in Lent and Lost, London, Zed, 1987.

11/ Quoted in "Afghanistan: A Sad Legacy of the Cold War", Refugees magazine, No. 88, January 1992.

SOURCES

Publications

United Nations **sales publications** provide useful background information about current and past UN system activities: *Basic Facts about the United Nations*, a handbook containing a concise description of the work of the UN and its related agencies; *Everyone's United Nations*, a basic reference work, gives a more detailed historical account of the UN system's activities. *The United Nations at Forty: A Foundation to Build On* is an historical look at the UN's work in its first four decades, to 1985. *UN Chronicle*, the official quarterly magazine of the UN, covers current developments in the UN system. These publications and *The Blue Helmets: A Review of United Nations Peace-keeping* are particularly useful sources for information about UN peace-making and peace-keeping efforts. Publications are available on a wide variety of economic and social questions, such as *The United Nations and Drug Abuse Control* and *The World's Women: Trends and Statistics 1970-1990*.

- These publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to **United Nations, Sales Section, Room DC2-0853, United Nations, New York, NY 10017 USA**, or **Palais des Nations, 1211 Geneva 10, Switzerland**. A catalogue of UN sales publications is available on request.

The UN Department of Public Information also publishes a variety of materials available on request, such as the annual *Report of the Secretary-General on the work of the Organization*. *Africa Recovery*, a periodical published quarterly, focuses on critical issues relating to economic and social development in Africa.
Many of these can be obtained from **UN Information Centres** located in capital cities around the world, or from the **Department of Public Information, United Nations Headquarters, New York, NY 10017, USA**.

The **Publications and Information Branch of the UN Office for Disarmament Affairs, Room S-3151, United Nations Headquarters, New York, NY 10017 USA** produces publications for free distribution and for sale.

Official United Nations documents

Most UN Information Centres maintain reference collections of UN documents. A number of libraries around the world have also been designated as depository libraries for UN documents and maintain collections for consultation by the public. For a list of UN Information Centres write to the Department of Public Information.

- Inquiries about depository libraries can be addressed to the **Dag Hammarskjöld Library, UN Headquarters, New York, NY 10017, USA.** Please note that the Dag Hammarskjöld Library itself is open to official users only.

Audio-visual materials

A variety of audio-visual materials produced by the UN and other organizations of the UN system are available for purchase, rent or loan from distributors, libraries and some UN offices (titles available and terms vary from country to country). Please note that films are not available for loan or rent direct from UN headquarters.

- A copy of the UN film catalogue can be obtained from UN Information Centres or by writing to the UN Department of Public Information.

The UN system

The UN system of programmes, specialized agencies and the International Atomic Energy Agency also publish information materials, either for free distribution or for sale, on a wide range of topics. Among the publications used in preparing this edition of Notes for Speakers were:

- *Human Development Report*; and *Change: Threat or Opportunity* (UN Development Programme)
- *State of the World's Children* (UNICEF)
- *State of the World's Population* (UN Population Fund)
- *Refugees magazine* (UNHCR)
- *World Economic Survey* (UN)
- *World Development Report* (World Bank)

Information about these and other materials published by organizations of the UN system can be obtained by writing to the following:

UN SYSTEM INFORMATION CONTACTS*

UN Children's Fund (UNICEF)
Division of Information
Three United Nations Plaza
New York, NY 10017, USA

UN Conference on Trade and Development (UNCTAD)
Palais des Nations
1211 Geneva 10, Switzerland

UN Development Programme (UNDP)
Division of Information
One United Nations Plaza
New York, NY 10017, USA

UN Environment Programme (UNEP)*
P.O. Box 30552
Nairobi, Kenya

UN Population Fund (UNFPA)
220 East 42nd Street, 19th floor
New York, NY 10017, USA

UN Relief & Works Agency for Palestine Refugees in the Near East (UNRWA)*
Vienna International Centre
P.O. Box 700
A-1400 Vienna, Austria

UN High Commissioner for Refugees (UNHCR)*
Case postale 2500
CH-1211 Geneva 2 Depôt, Switzerland

UN International Drug Control Programme (UNDCP)
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UN Centre for Human Settlements (Habitat)
UN Office at Nairobi
P.O. Box 30030
Nairobi, Kenya

UN Development Fund for Women (UNIFEM)
Room FF-0616
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New York, NY 10017, USA

Specialized and other UN-related agencies:

Food and Agriculture Organization of the UN (FAO)*
Via delle Terme di Caracalla
00100 Rome, Italy

General Agreement on Tariffs and Trade (GATT)
Centre William Rappard
154 rue de Lausanne
1211 Geneva 21, Switzerland

International Atomic Energy Agency (IAEA)*
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P.O. Box 100
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International Bank for Reconstruction and Development (World Bank)*
1818 H Street, NW
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* Organization maintains a liaison office at UN Headquarters in New York.

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UN Educational, Scientific and Cultural Organization (UNESCO)*
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75700 Paris, France

Universal Postal Union (UPU)
Weltpoststrasse 4
Berne, Switzerland

World Health Organization (WHO)*
20 avenue Appia
1211 Geneva 27, Switzerland

World Intellectual Property Organization (WIPO)
34 chemin des Colombettes
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World Meteorological Organization (WMO)
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